

STATE OF OHIO  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL AND GAS MANAGEMENT

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In re: :

The Matter of the : Application Date:  
Application of EOG : November 10, 2025  
Resources, Inc. for :  
Unit Operation :  
Indigo CBR C Unit :

- - - - -

UNITIZATION APPLICATION HEARING

- - - - -

Before Hearing Host Barbara Richardson  
All Parties Appearing Remotely  
January 7, 2026, 11:30 a.m.

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Spectrum Reporting LLC  
400 South Fifth Street, Ste. 201  
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A P P E A R A N C E S

ON BEHALF OF OHIO DEPARTMENT OF NATURAL RESOURCES:

Ohio Department of Natural Resources  
2045 Morse Road, Building F-3  
Columbus, OH 43229  
By Jennifer A. Barrett, Esq.  
(Via videoconference)

ON BEHALF OF EOG RESOURCES, INCORPORATED:

Porter, Wright, Morris & Arthur, LLP  
41 South High Street, Suites 2800-3200  
Columbus, OH 43215  
By Robert J. Karl, Esq.  
Mike Britt, Esq.  
(Via videoconference)

ALSO PRESENT:

Megan Fischer (Via videoconference)  
Ryan Steele (Via videoconference)  
Joni Reeder (Via videoconference)  
Regina Bryant (Via videoconference)  
Piper Zdrodowski (Via videoconference)  
Cynthia Marshall (Via videoconference)  
Laurie Leach, Esq. (Via videoconference)  
Chris Baronzzi, Esq. (Via videoconference)  
Cory Cosby (Via videoconference)

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P R O C E E D I N G S

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MS. RICHARDSON: Good morning. Before we begin, I would like to go over some instructions for this video and telephone conference.

If you have joined online, please mute your microphone. If you have called in via phone, please use the "mute" feature of your phone. Once the hearing begins, everyone will be muted except for those presenting. If you have called in, you can unmute yourself by pressing "star 6."

Witnesses for the Applicant and anyone wishing to make comments, please wait to be individually called upon by your attorney or by the Division before speaking. Please mute your microphones anytime you are not speaking and when you have finished presenting to avoid any feedback.

I am now asking anyone who would like to make comments, please state your name slowly and clearly for the Division and identify whether you are an unleased mineral owner, working

1 interest owner, or owner with a property in the  
2 Indigo CBR C unit. I would also like this  
3 information from anyone who represents any of  
4 these persons. We will make note of your name and  
5 call upon you when it's time for comments.

6 If you have joined us via WebEx, please  
7 unmute yourself now and tell us your name if you  
8 wish to make comments.

9 Hearing none.

10 If you joined us via phone, please  
11 unmute yourself by pressing "star 6" and tell us  
12 your name if you wish to make comments.

13 Hearing none.

14 Thank you. With that, we will begin  
15 the hearing.

16 Ms. Barrett.

17 MS. BARRETT: Thank you and good  
18 morning. Today is Wednesday, January 7th, 2026.  
19 And we are here on the matter of the application  
20 of EOG Resources, Inc., for unit operation of the  
21 Indigo CBR C unit. This hearing before the Ohio  
22 Department of Natural Resources, Division of Oil  
23 and Gas Resources Management, is convened pursuant  
24 to Ohio Revised Code Section 1509.28.

1           My name is Jennifer Barrett. And I am  
2           an administrative officer for the Division. Also  
3           with me today is Program Administrator Barbara  
4           Richardson. We are conducting the hearing today  
5           and serve as the Chief's designees on this matter.

6           On November 10th, 2025, EOG filed with  
7           the Division an application for unit operations  
8           for a unit designated as the Indigo CBR C unit.  
9           EOG filed subsequent revisions to the application.  
10          The unit is proposed to be located in Carroll and  
11          Stark Counties, Ohio. In its application, EOG  
12          claims to have the mineral rights through  
13          voluntary agreements to approximately 1,345.9518  
14          acres of the desired approximate 1,797.0933-acre  
15          unit.

16          The purpose of today's hearing is to  
17          determine whether EOG's Indigo CBR C unit  
18          application meets all of the requirements of  
19          Revised Code Section 1509.28. Under that section,  
20          the Chief of the Division must issue an order if  
21          he determines that the Applicant has shown that,  
22          one, the unit is reasonably necessary to increase  
23          substantially the ultimate recovery of oil and  
24          gas; and two, the estimated additional recovery

1 from the unit exceeds the additional cost.

2           Neither the Chief nor any of us here  
3 today have made any decisions on EOG's  
4 application. After today's hearing, we will  
5 review all of the information provided to us in  
6 order to make a determination. We have a court  
7 reporter present as well, and we will have a copy  
8 of the transcript of this hearing for review.

9           The Chief's decision will be issued  
10 through our Chief's Order, which will be posted on  
11 the Division's website. Pursuant to Revised Code  
12 Section 1509.36, any order may be appealed within  
13 30 days after the date upon which the person to  
14 whom the order was issued received the order and  
15 for all other persons adversely affected by the  
16 order within 30 days after the date of the order  
17 complained of.

18           The hearing will proceed as follows:  
19 EOG will present its witnesses and exhibits and  
20 will answer questions posed by the Division staff.  
21 Then any unleased mineral owners, working interest  
22 owners, and those persons with property included  
23 in the proposed Indigo CBR C unit will have the  
24 opportunity to present questions and concerns to

1 the Division staff. And then the Division staff  
2 may take a break to determine if there are any  
3 additional questions for the Applicant.

4 To proceed in an orderly fashion, we  
5 ask that any interested party who speaks here  
6 today pose any questions to the Division and we  
7 will then ask any questions to EOG. Additionally,  
8 anyone speaking today will be asked to provide  
9 their information to the court reporter. If you  
10 are uncomfortable speaking during the hearing, we  
11 will also accept written comments.

12 We will now ask the Applicant to make  
13 its introductions and begin its presentation.

14 (Technical difficulty.)

15 MS. RICHARDSON: We can't hear you,  
16 you're muted. Can't hear you.

17 MS. BARRETT: Still muted. Your icon  
18 shows up as being muted.

19 MR. KARL: Can you hear me now?

20 MS. BARRETT: Yes, thank you.

21 MR. KARL: Good morning. My name is  
22 Bob Karl. And I'm an attorney with Porter Wright  
23 Morris & Arthur. My colleague Mike Britt and I  
24 are here on behalf of our client, EOG

1 Resources, Inc.

2 EOG is asking the Division to grant an  
3 order for unit operations for the Indigo CBR C  
4 unit. The unit is located in Brown Township of  
5 Carroll County and Osnaburg and Sandy Townships,  
6 Stark County, Ohio. For convenience here today,  
7 EOG witnesses and I may refer to this unit as just  
8 the "Indigo unit."

9 As you will hear from EOG's witnesses,  
10 as of the date of its pre-hearing supplement, EOG  
11 has the right to drill and produce oil and gas  
12 from more than 74 percent of the proposed Indigo  
13 unit, which exceeds the 65 percent threshold set  
14 by the Ohio Revised Code Section 1509.28.

15 As you can see on the screen is the  
16 color-coded map, and as EOG witnesses will  
17 explain, the proposed Indigo unit consists of 225  
18 tracts totaling approximately 1,797.0933 acres.  
19 The Indigo unit will contain five unconventional  
20 wells that will each extend horizontally through  
21 the unit for approximately 15,840 feet. These  
22 wells will be drilled from a pad that is  
23 constructed at the south end of the proposed unit.

24 EOG seeks an order for unit operations

1 from the Division because there are eight tracts  
2 of land in the proposed unit that are at least  
3 partially unleased and 37 tracts that are leased  
4 but have not been committed to unit operations by  
5 the working interest owners of those leases.

6 In support of its application, EOG will  
7 call three witnesses: Mr. Brandon Swain, geologic  
8 advisor; Mr. Will Porter, senior landman; and  
9 Mr. John Dwyer, reservoir engineering specialist,  
10 who will each testify that the application meets  
11 the requirements for granting an order for unit  
12 operations under Ohio Revised Code 1509.28.

13 EOG now asks permission to call its  
14 first witness, Brandon Swain.

15 MS. RICHARDSON: Please swear in the  
16 witness.

17 - - - - -

18 BRANDON SWAIN

19 being first duly sworn, testifies and says as  
20 follows:

21 DIRECT EXAMINATION

22 BY MR. KARL:

23 Q. Mr. Swain, would you please state your  
24 full name and place of employment?

1 A. Brandon Swain, EOG Resources, Inc.

2 Q. What is your position at EOG?

3 A. Geological advisor.

4 Q. Would you please describe for the  
5 Division your educational background before  
6 becoming a geological advisor at EOG, including  
7 any degrees you may hold?

8 A. My education includes dual Bachelor of  
9 Science degrees in Geology and Environmental  
10 Science from Baylor University as well as a Master  
11 of Science in Geology from the University of  
12 Oklahoma.

13 Q. Mr. Swain, after you received your  
14 master's degree from the University of Oklahoma,  
15 did you begin working as a geologist?

16 A. Yes, immediately upon graduating.

17 Q. Could you please describe your  
18 professional experience and work history?

19 A. I began working with EOG Resources,  
20 Inc. upon completion of my master's degree in  
21 2015. I started working as a geologist in the  
22 Eagle Ford, followed by the Permian Basin, and now  
23 work in the Utica.

24 Q. Are you currently a member of any

1 professional associations?

2 A. Yes. I am a member of the American  
3 Association of Petroleum Geologists.

4 Q. Could you next please describe your  
5 work as a geological advisor at EOG?

6 A. As a geologist, my role is to  
7 incorporate all necessary geological data for  
8 planning, permitting, and execution of wells in  
9 EOG Resources, Incorporated's Utica-Point Pleasant  
10 assets.

11 Some of my general responsibilities  
12 include analyzing geologic datasets like well  
13 logs, seismic data, and core samples to generate  
14 geological maps. These maps are used for  
15 geological risk assessment, optimizing well  
16 performance, evaluating acreage and asset  
17 development, well planning, and ensuring we  
18 geosteer within our intended targets.

19 Q. Are you familiar with the application  
20 for unitization of the Indigo unit, including the  
21 geological exhibits that appear in the  
22 application?

23 A. Yes, sir.

24 Q. Did you hear my summary and

1 introduction of the Indigo unit a few moments ago?

2 A. Yes, I did.

3 Q. Was my description consistent with your  
4 understanding of the Indigo unit and your geologic  
5 analysis that supports the application for  
6 unitization?

7 A. Yes, sir.

8 Q. I would like to discuss a few  
9 regulatory and technical terms. First, could you  
10 please describe what the term "unitized formation"  
11 means with respect to the Indigo unit?

12 A. 50 feet above the top of the Utica  
13 Shale to 50 feet below the top of the Trenton  
14 Limestone formation.

15 Q. Did you do any analysis to determine if  
16 the unitized formation is a pool or part of a  
17 pool, as required for unitization under Ohio law?

18 A. Yes, sir.

19 Q. Are you aware that the word "pool" has  
20 a specific meaning for purposes of EOG's  
21 application under Ohio law?

22 A. Yes.

23 Q. Under Ohio law, what does it mean to  
24 say that the unitized formation is a part of a

1 pool?

2 A. A pool is an underground reservoir  
3 containing a common accumulation of oil or gas, or  
4 both, but does not include a gas storage  
5 reservoir. Each zone of a geological structure  
6 that is completely separated from any other zone  
7 in the same structure may contain a separate pool.

8 Q. Was that definition used for the  
9 purposes of the geologic analysis you performed  
10 for the Indigo unit?

11 A. Yes, it was.

12 Q. What information did you analyze to  
13 determine whether the unitized formation was a  
14 pool or part of a pool?

15 A. I have reviewed available geological  
16 data, such as nearby vertical well logs, sample  
17 cuttings, cores, and other measurable rock  
18 properties, to gain information such as porosity,  
19 permeability, water saturation, mineral content,  
20 and thermal maturity of organic material.  
21 Correlation of this information over a large area  
22 reveals a regional picture or trend of the  
23 Utica-Point Pleasant pool.

24 Q. I would like to turn your attention to

1 this slide on the screen, Exhibit F from the  
2 application. Can you please describe what this  
3 map shows and why it is relevant to your geologic  
4 analysis?

5 A. Yes, sir. This map shows the Indigo  
6 unit as the blue outlined shape in the middle of  
7 the map. The green circle is the surface location  
8 for the Indigo unit. And the red squares are  
9 nearby vertical wells, which were used to describe  
10 the portion of the Utica-Point Pleasant pool  
11 within the Indigo unit. As shown here, the  
12 cross-section, which is the dotted line from the  
13 two vertical wells, goes to the Indigo CBR unit,  
14 which has corresponding distances noted.

15 Q. Next, I would like to turn your  
16 attention to the slide on the screen, Exhibit E  
17 from the application. Please explain what this  
18 exhibit is and how it relates to your geologic  
19 analysis.

20 A. Yes. This is a cross-section of the  
21 vertical wells identified on the previous map.  
22 EnerVest's "Lee unit 1-D" is on the left, and  
23 P.D.L. Service Inc.'s "Belknap-Slagel unit-1" is  
24 on the right. In the middle is the proposed

1 Indigo unit with the expected depths of the  
2 relevant formations.

3 Geologic mapping shows that the Indigo  
4 unit lies entirely within the Utica-Point Pleasant  
5 pool and is of the same approximate thickness and  
6 reservoir quality throughout the area, also shown  
7 by the wells in the cross-section.

8 This hydrocarbon accumulation extends  
9 in all directions from the proposed unit. And the  
10 rock properties, such as lithology, porosity, and  
11 fluid type, are very similar throughout the entire  
12 unit and constitute a common source of supply.  
13 This is shown by the gamma ray, resistivity, and  
14 porosity logs in this section. All of the logs  
15 shown have very similar character.

16 Q. Would you please explain how gamma ray  
17 works and why it is relevant?

18 A. The gamma-ray log records the amount of  
19 natural gamma radiation emitted by the rocks  
20 surrounding the borehole. The gamma-ray log is  
21 used to help correlate different formations and  
22 derive lithologies, for example, sandstone, shale,  
23 and carbonate.

24 Q. How is gamma ray reflected on this

1 slide?

2 A. The gamma-ray log is the green curve on  
3 the left side of both vertical slopes, which are  
4 nearly identical to one another.

5 Q. What does the gamma-ray well log tell  
6 us about the Indigo unit, if anything?

7 A. Based on the data from the wells, I  
8 would expect the gamma-ray signature of the  
9 Utica-Point Pleasant formation in the Indigo unit  
10 to be consistent with the two vertical wells that  
11 we see on the cross-section.

12 Q. Could you now explain how resistivity  
13 works and why is it relevant to your analysis?

14 A. The resistivity log measures electrical  
15 resistivity from the formation. It is used to  
16 determine the formation fluid type: water, oil,  
17 or gas. Water-bearing formations typically have a  
18 lower resistivity, while hydrocarbon-bearing  
19 formations typically have a higher resistivity.

20 Q. And how is that reflected on the slide?

21 A. The resistivity log is the red curve in  
22 the middle of both of these vertical logs. Again,  
23 they are very similar to one another, indicating  
24 uniformity as a whole of hydrocarbon saturation

1 across the Indigo unit.

2 Q. Can you please explain porosity and why  
3 it is relevant?

4 A. Porosity of a rock is a measure of  
5 storage space or empty space within the rock. It  
6 is one of the logs utilized to estimate the volume  
7 of hydrocarbon storage in a formation.

8 Neutron porosity is a measure of the  
9 amount of hydrogen atoms present in the reservoir  
10 fluid and helps identify the fluid type.

11 Q. And how is porosity reflected on the  
12 slide?

13 A. Density porosity is the black curve,  
14 and the neutron porosity is the blue curve on the  
15 cross-section for both pilot wells. Both the  
16 density and neutron porosity curves have a similar  
17 character, again showing a uniform amount of  
18 storage across the area and underlying the Indigo  
19 unit.

20 Q. Did you use this data analysis that you  
21 just described to form a professional opinion  
22 about whether the unitized formation described in  
23 the application for unitization of the Indigo unit  
24 is a pool or part of a pool?

1 A. Yes, sir.

2 Q. What is your professional opinion in  
3 that regard?

4 A. The unitized formation is part of a  
5 pool.

6 Q. Is there a uniform thickness across the  
7 unitized formation in the Indigo unit?

8 A. Yes.

9 Q. What is the thickness of the  
10 Utica-Point Pleasant Interval within the Indigo  
11 unit?

12 A. It is approximately 294 feet thick,  
13 based on the data from the identified well logs.

14 Q. Going back to the slide, what is the  
15 green-shaded box labeled "HZ target ZN"?

16 A. This is the intended target zone for  
17 the Indigo unit horizontal wells.

18 Q. What is the height of your target zone  
19 for the well?

20 A. 50 feet, which again is identified by  
21 that green box on the cross-section.

22 Q. Given your opinion that the unitized  
23 formation is part of a pool and has uniform  
24 thickness across the unit, in your professional

1 opinion, would it be appropriate to allocate unit  
2 expenses and payments of the proceeds of oil and  
3 gas production from the Indigo unit on a surface  
4 acreage basis?

5 A. Yes.

6 Q. In your experience, is it common to  
7 allocate payments on a surface acreage basis for  
8 horizontal development in the Utica-Point Pleasant  
9 Shale?

10 A. Yes, sir.

11 Q. Thank you, Mr. Swain.

12 MR. KARL: Those are the only questions  
13 that I have for you; however, the Division may  
14 have questions for you.

15 MS. RICHARDSON: Thank you.

16 I do have a few questions. What is the  
17 anticipated true vertical depth of the horizontal  
18 portion of the wellbore?

19 THE WITNESS: Yes, ma'am. As  
20 identified by the green box, we're looking at  
21 6,830 feet TVD.

22 MS. RICHARDSON: Thank you. What is  
23 the anticipated true vertical depth of the top of  
24 the Utica, the Point Pleasant, and the Trenton?

1 THE WITNESS: Yes, ma'am. In the order  
2 that you just requested: The TVD of the top of  
3 the Utica is 6,606 feet; the TVD of the Point  
4 Pleasant top is 6,767 feet; the TVD of the Trenton  
5 Limestone is 6,900 feet.

6 MS. RICHARDSON: Thank you. And do you  
7 expect production from outside the Point Pleasant?

8 THE WITNESS: A small portion of  
9 production from the Lower Utica is possible where  
10 porosity is prevalent. But we're not expecting  
11 much production outside of that.

12 MS. RICHARDSON: Okay, thank you.

13 Ms. Barrett, do you have any questions?

14 MS. BARRETT: No, I do not. Thank you.

15 MS. RICHARDSON: Thank you.

16 Mr. Karl, please call your next  
17 witness.

18 MR. KARL: Thank you. I would like to  
19 call Mr. Will Porter, please.

20 MS. RICHARDSON: Please swear in the  
21 witness.

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WILL PORTER

being first duly sworn, testifies and says as follows:

DIRECT EXAMINATION

BY MR. KARL:

Q. Good morning, Mr. Porter. Would you please state your name and place of employment.

A. My name is Will Porter. I work for EOG Resources.

Q. What is your position at EOG?

A. Senior landman.

Q. And can you please describe for the Division your educational background?

A. I hold a bachelor's degree in energy management from the University of Oklahoma.

Q. Can you please describe your professional experience in the oil and gas industry?

A. Yes. I've worked for EOG since graduating college in May of 2018. During my time at EOG, I've had the opportunity of working multiple areas, including EOG's Woodford asset in Oklahoma, as well as its Utica asset in Ohio.

1 I've coordinated leasing and title efforts,  
2 executed leasehold acquisitions, and developed  
3 operated units in both Oklahoma and Ohio.

4 Q. Are you currently a member of any  
5 professional associations?

6 A. Yes. I'm a member of the American  
7 Association of Professional Landmen and have been  
8 an active member since 2018. I'm also a member of  
9 the Oklahoma City Association of Professional  
10 Landmen, as well as the Michael Late Benedum  
11 Chapter of the American Association of  
12 Professional Landmen.

13 Q. Are there currently continuing  
14 education requirements to maintain that  
15 membership?

16 A. Yes. There are minimum continuing  
17 education credits required to maintain my  
18 membership with the AAPL.

19 Q. Can you please describe your work  
20 responsibilities as a senior landman with EOG?

21 A. As a senior landman, I help facilitate  
22 the development of EOG's Utica Shale asset and  
23 manage all aspects of landwork, including  
24 participation in lease acquisitions, title review,

1 leasehold trade agreements, and development  
2 planning.

3 Q. Mr. Porter, did you assist with the  
4 preparation of the application for unitization of  
5 the Indigo CBR C unit?

6 A. Yes.

7 Q. Did you hear my introduction of the  
8 Indigo unit and application at the beginning of  
9 the hearing?

10 A. Yes, I did.

11 Q. Was it an accurate description of the  
12 Indigo unit and application for the position?

13 A. Yes, sir.

14 Q. I'd like to point back to the  
15 color-coded map Exhibit D on the screen. Is this  
16 a depiction of the proposed Indigo unit?

17 A. Yes, it is.

18 Q. What will the size in acres of the  
19 Indigo unit be, if it is drilled under a  
20 unitization order as planned?

21 A. 1,797.0933 acres.

22 Q. And where is it located?

23 A. It's located within Brown Township of  
24 Carroll County, Osnaburg and Sandy Townships of

1 Stark County, Ohio.

2 Q. Mr. Porter, can you please describe  
3 what information is depicted on this map?

4 A. Yes. So this is an overview map that  
5 shows all 225 tracts that are included within the  
6 Indigo unit. Each of those tracts are identified  
7 with a unit tract number, tax parcel number, and  
8 tract acreage in more detailed maps and tables in  
9 the application.

10 All of the tracts in the unit are also  
11 categorized on this map by their status within the  
12 unit. The yellow tracts are leased and  
13 consenting. Green tracts are non-consenting.  
14 Crosshatched yellow-and-red tracts are partially  
15 leased and consenting. Crosshatched  
16 yellow-and-green tracts are leased and partially  
17 consenting and partially non-consenting, and then  
18 the red tracts are unleased.

19 The black dotted lines illustrate a  
20 400-foot setback from the unleased or  
21 non-consenting tracts as required by Ohio law.  
22 And the blue dashed line identifies the location  
23 where the overview map is divided into submaps for  
24 purposes of showing greater detail in the

1 application. The solid blue line represents the  
2 Indigo unit boundary. And last, the blue dot  
3 shows the approximate planned surface location.  
4 And the map shows the five wells that EOG plans to  
5 drill and produce from the Utica-Point Pleasant  
6 pool.

7 Q. What is the status of the construction  
8 of the well pad?

9 A. The pad is built.

10 Q. What is the expected length of the  
11 lateral portion of the Indigo wells if an order  
12 for unit operations is granted?

13 Q. The lateral length of all wells is  
14 planned to be 15,840 feet long under an order for  
15 unit operations.

16 A. What is the spacing at the heel and toe  
17 of the Indigo unit?

18 Q. 150 feet between the end of each  
19 lateral to the boundary of the unit.

20 Q. What is the spacing between laterals  
21 inside the unit and from the last lateral on each  
22 side of the boundary within the Indigo unit?

23 A. The internal spacing between the  
24 laterals will be approximately 1,000 feet. And

1 the spacing from the lateral on each side to the  
2 boundary of the unit will be 425 feet.

3 Q. What is the expected development  
4 timeline?

5 A. We plan to drill and complete the wells  
6 within the time frame specified in the Chief's  
7 Order if an order is issued.

8 Q. What percentage of the Indigo unit is  
9 committed to unit operations?

10 A. 74.896042 percent of the unit is  
11 committed to unit operations.

12 Q. Next, who are the committed working  
13 interest owners in the Indigo unit?

14 A. EOG Resources, Reserve Energy  
15 Exploration Company, EAP Ohio, Frio Resources II,  
16 and TexOh Energy Partners.

17 Q. Are there uncommitted working interest  
18 owners in this unit?

19 A. Yes.

20 Q. Who are the uncommitted working  
21 interest owners?

22 A. There are several, and they are listed  
23 on Exhibit A to the application.

24 Q. Thank you. What percentage of the

1 Indigo unit is leased but not committed to unit  
2 operations?

3 A. Approximately 23.581053 percent.

4 Q. I understand that there are eight  
5 unleased or partially leased tracts in the Indigo  
6 unit; is that accurate?

7 A. Yes, it is.

8 Q. What percentage of the Indigo unit is  
9 comprised of unleased interest?

10 A. Approximately 1.522905 percent.

11 Q. Do you know how many acres in the unit  
12 those unleased interests account for?

13 A. Approximately 27.3683 net mineral  
14 acres.

15 Q. Next, can you generally describe EOG's  
16 efforts to lease the owners of the unleased  
17 tracts?

18 A. Yeah. We make efforts to lease all of  
19 the unleased interests, and those efforts are  
20 listed in our leasing affidavit. Generally  
21 speaking, we make phone calls, send mail-outs, and  
22 have in-person meetings to try to reach mutually  
23 agreeable lease terms.

24 Q. What is the status of EOG's efforts to

1 obtain consent from those non-consenting working  
2 interest owners?

3 A. Over the course of several months, we  
4 have offered non-consenting owners the opportunity  
5 to sell, trade, or purchase their acreage in the  
6 unit. For the parties listed in the application  
7 and as outlined in Exhibit G, we have ongoing  
8 efforts to obtain consent from the non-consenting  
9 leasehold owners.

10 Q. Will EOG continue its efforts to lease  
11 the unleased minerals and commit the uncommitted  
12 working interest owners after the hearing?

13 A. Yes, we will.

14 Q. Next, I would like to talk for a moment  
15 about the unit plan included in the application.  
16 Are you familiar with it?

17 A. Yes, I am.

18 Q. What is the purpose of the JOA?

19 A. The purpose is twofold. So, one, it  
20 helps define the respective rights of the parties  
21 in the unit; and two, it combines the oil and gas  
22 rights of all tracts in the unit as if they were a  
23 single tract for purposes of management,  
24 production, and development from the unitized

1 formation within the unit, which is part of a  
2 common pool.

3 Q. And how will payments be allocated  
4 pursuant to the unit plan?

5 A. On a surface acreage basis.

6 Q. And why is that the case?

7 A. For the reasons discussed by the  
8 geologist. Mainly, the uniformity of the  
9 formation.

10 Q. Is that common in Ohio for the  
11 Utica-Point Pleasant play?

12 A. Yes.

13 Q. Who pays unit expenses?

14 A. The participating working interest  
15 owners.

16 Q. Do royalty owners pay unit expenses  
17 under the terms of the unit plan?

18 A. No.

19 Q. Thank you, Mr. Porter.

20 MR. KARL: Those are all the questions  
21 I have. But the Division may have some additional  
22 questions.

23 MS. RICHARDSON: Thank you. In  
24 reviewing our application, I didn't see any

1 unknown or undetermined mineral owners; is that  
2 correct?

3 THE WITNESS: That is correct.

4 MS. RICHARDSON: Great. What is the  
5 current average offer to unleased mineral owners  
6 in your proposed unit? The average bonus and the  
7 average royalty.

8 THE WITNESS: The average outstanding  
9 offers to unleased owners is \$2,509.60 per acre,  
10 and 20 percent royalty.

11 MS. RICHARDSON: Is that based on a net  
12 or gross amount?

13 THE WITNESS: That's based on net.

14 MS. RICHARDSON: Do those offers  
15 include surface use?

16 THE WITNESS: It's kind of a mixed bag,  
17 that's a negotiable term. But most of our leases  
18 do allow surface operations.

19 MS. RICHARDSON: Thank you. When will  
20 those offers expire?

21 THE WITNESS: The offers are still  
22 valid and don't have a specific expiration date.  
23 We will continue negotiating a mutually agreeable  
24 lease post-order to the extent that the

1 discussions are constructive.

2 MS. RICHARDSON: Thank you. What is  
3 the average offer that was accepted by the leased  
4 mineral owners in the proposed unit? Again,  
5 average bonus and average royalty.

6 THE WITNESS: \$2,627.51 per acre and  
7 20 percent royalty.

8 MS. RICHARDSON: Thank you. Can you  
9 please explain the difference between the current  
10 offer and the average accepted offers?

11 THE WITNESS: Yes. We negotiate leases  
12 with landowners by taking into consideration  
13 particular provisions they request, the parcel  
14 location, and size of the land. The bonus and  
15 royalty are just one part of the negotiation  
16 process.

17 MS. RICHARDSON: Thank you. And in  
18 your professional opinion, do you believe your  
19 lease attempts have been reasonable? And if so,  
20 why?

21 THE WITNESS: Yes, I do. We have  
22 reached out to mineral owners over the course of  
23 multiple years in this area, and through several  
24 attempts. We have successfully taken hundreds of

1 leases in this area and continue to negotiate with  
2 interested mineral owners. And we would ideally  
3 like to enter into mutually agreeable leases with  
4 anyone that wishes to do so.

5 MS. RICHARDSON: Thank you. Now, you  
6 may have answered this, but I'm going to ask it  
7 again. Will you continue attempts to lease the  
8 unleased mineral owners after the hearing and  
9 after a unitization order is issued, if one is  
10 issued?

11 THE WITNESS: Yes, we will.

12 MS. RICHARDSON: Thank you. And in  
13 your professional opinion, do you believe your  
14 attempts to commit non-consenting working interest  
15 owners have been reasonable? And if so, why?

16 THE WITNESS: Yes. So we have offered  
17 industry standard terms for entering into a JOA,  
18 as well as offers to purchase, trade, or otherwise  
19 acquire the outstanding working interest in the  
20 unit. And we believe that these efforts are  
21 reasonable.

22 MS. RICHARDSON: Thank you. Do the  
23 leases in the unit authorize drilling into and  
24 producing from the proposed unitized formations?

1 THE WITNESS: Yes, they do.

2 MS. RICHARDSON: Thank you. And to  
3 establish bonus and royalty amounts in leases, how  
4 are those generally determined?

5 THE WITNESS: So we work with our  
6 reservoir team in order to understand the range of  
7 bonus and associated royalty as guidance, and then  
8 we use that as a starting point. From there,  
9 competition in the area is the main driver of  
10 increase or decrease in bonus and royalty. But we  
11 also adjust for other factors, such as the pricing  
12 environment, parcel size, parcel location, and  
13 other provisions in the lease requested by the  
14 landowner.

15 MS. RICHARDSON: Thank you.

16 Ms. Barrett, do you have any questions?

17 MS. BARRETT: Yes, I do.

18 Q. It does look like your application has  
19 some unknown heirs; is that correct?

20 A. Can you repeat that?

21 Q. Yeah. It does look like the  
22 application has some unleased mineral owners that  
23 are identified as "unknown heirs."

24 A. Yes, that's true.

1 Q. Okay. And can you describe the efforts  
2 you have taken to identify the unknown heirs?

3 A. Yeah. So we use genealogy websites,  
4 obituaries, and we contact potential family  
5 members to try to identify these individuals.

6 Q. Okay. And if you were to receive a  
7 unitization order, can you please describe what  
8 happens to any payments that would be owed to  
9 those unknown heirs under the order.

10 A. They would be held in suspense.

11 Q. Okay. And can you briefly describe  
12 what that process is?

13 A. Yeah. So when we are unable to  
14 identify a landowner, any royalties that are due  
15 to that landowner through production of this unit  
16 are held in suspense. Once we have received  
17 curative or identified those landowners, then we  
18 will put those royalties in pay, and they will  
19 start receiving those payments.

20 Q. Okay. Thank you.

21 MS. BARRETT: No further questions for  
22 me.

23 MS. RICHARDSON: Thank you.

24 Mr. Karl, please call your next

1 witness.

2 MR. KARL: Thank you. I would like to  
3 call Mr. John Dwyer.

4 MS. RICHARDSON: Please swear in the  
5 witness.

6 - - - - -

7 JOHN DWYER

8 being first duly sworn, testifies and says as  
9 follows:

10 DIRECT EXAMINATION

11 BY MR. KARL:

12 Q. Good afternoon, Mr. Dwyer. Would you  
13 please state your name and place of employment?

14 A. Sure. I'm John Dwyer, and I work at  
15 EOG Resources.

16 Q. Mr. Dwyer, what is your position at  
17 EOG?

18 A. I'm a reservoir engineering specialist.

19 Q. Would you please describe to the  
20 Division your educational background before you  
21 became a reservoir engineering specialist at EOG,  
22 including any degrees that you may hold?

23 A. Yeah. I hold a Chemical Engineering  
24 degree from Purdue University and a Master of

1 Business Administration from the University of  
2 Michigan.

3 Q. Could you please tell the Division  
4 about your professional work experience since  
5 receiving your engineering degree from Purdue  
6 University?

7 A. Yeah. I have worked in the industry  
8 for over 12 years now. In chronological order,  
9 I've worked at Halliburton, Whiting Petroleum,  
10 Devon Energy, and now EOG Resources. My  
11 background includes extensive operations and  
12 technical experience in fracturing, well  
13 intervention, asset development, and reservoir  
14 simulations. My experience spans the Williston,  
15 Anadarko, Delaware, and now Utica Basin's.

16 Q. Are you currently a member of any  
17 professional associations?

18 A. Yes. I'm a member of the Society of  
19 Petroleum Engineers.

20 Q. Mr. Dwyer, would you please describe  
21 your responsibilities and work as a reservoir  
22 engineering specialists with EOG?

23 A. Sure. My primary job responsibilities  
24 are to forecast future production for both

1 producing and undeveloped wells. I use these  
2 forecasts to estimate the reserves, recoveries,  
3 and economics for various development scenarios.

4 Using this information, my team members  
5 and I recommend how EOG should develop its assets  
6 to maximize value and resource recovery.

7 Q. Are you familiar with the application  
8 for unitization of the Indigo CBR C unit?

9 A. Yes, I am.

10 Q. Did you assist in preparing the Indigo  
11 application and/or supplements for unitization?

12 A. Yes, I did.

13 Q. Did you hear my summary and  
14 introduction of the Indigo unit, as well as the  
15 testimony from Mr. Swain and Mr. Porter this  
16 morning?

17 A. Yes, I did.

18 Q. Was my description and that prior  
19 testimony consistent with your understanding of  
20 the Indigo unit at the time you estimated the  
21 economics and production volumes for the Indigo  
22 unit as set forth in the application?

23 A. Yes, they were.

24 Q. Now, I understand that you have

1 analyzed the potential recovery of oil and gas  
2 from the Indigo unit and associated economics of  
3 the units under two different scenarios. First is  
4 if the Indigo unit was drilled without an order to  
5 unit operations. And second, if it was drilled  
6 with the benefit of an order for unit operations  
7 from the Division; is that correct?

8 A. Yes, that is.

9 Q. Okay. I'd like to start, before we go  
10 into those two scenarios, with what the well  
11 configurations would be in each of those  
12 scenarios.

13 So that we can understand your  
14 economics and engineering analysis, I'd like to  
15 first look to the color-coded map, which is on  
16 the screen and is shown as Exhibit D. So can you  
17 please tell me, are you familiar with this map?

18 A. I am.

19 Q. And can you -- does this map accurately  
20 depict the configuration of the wells and unit  
21 that is the basis of your engineering and economic  
22 analysis?

23 A. Yes, it does.

24 Q. Can you please tell the Division if EOG

1 is granted an order for unit operations, what will  
2 be the extended configuration of the wells in the  
3 Indigo?

4 A. Sure. So we are proposing to drill a  
5 five-well unit. The lateral lengths of each well  
6 will be 15,840 feet in length. The wells will  
7 have an internal well spacing of approximately  
8 1,000 feet between them. And they will have a  
9 setback from the eastern and western unit  
10 boundaries by 425 feet. And then, there will be  
11 an additional setback, of course, in the north and  
12 south boundaries of 150 feet.

13 Q. Will EOG produce from the whole length  
14 of each lateral well with unitization under your  
15 analysis?

16 A. Yes, we will.

17 Q. Will the entire unit be developed and  
18 produce under -- will the entire unit be developed  
19 and produce under an order for unit operations as  
20 planned?

21 A. Yes, it will.

22 Q. And as planned, under an order for unit  
23 operations, do you expect any production from  
24 outside the Indigo?

1 A. No, we do not expect that.

2 Q. If EOG does not receive an order  
3 authorizing unit operations, what would be the  
4 configuration and extent of the wells in that  
5 scenario?

6 A. Sure. So in this instance, three of  
7 the five wells could not be drilled at all, just  
8 given the non-consenting outline at this point.  
9 Those would be the Indigo 6C, 8C, and 10C. And  
10 then the remaining two wells would be drilled at  
11 much shorter lateral lengths. The Indigo 2C would  
12 be 4,847 lateral feet. And the Indigo 4C would  
13 only be 4,585 feet. And again, that's due to the  
14 location of the non-consenting or unleased tracts  
15 within the unit.

16 Q. From an economic perspective, would EOG  
17 actually drill any of these wells in the proposed  
18 Indigo unit without a unitization order from the  
19 Division?

20 A. No, we would not.

21 Q. Now let's talk about the economics and  
22 production in both the unitized and non-unitized  
23 scenario that you have analyzed. And for that  
24 discussion, I'd like to turn to the economics

1 table now onscreen.

2 Are these the economic tables that  
3 were included in the pre-hearing supplement  
4 application for unitization of the Indigo unit,  
5 and that you had just mentioned?

6 A. Yes, they are.

7 Q. Please tell the Division what the  
8 tables show?

9 A. Sure. So it shows the unitized  
10 scenario at the top there, and then the middle  
11 table is the non-unitized scenario. And then,  
12 that last table is the difference between the two.

13 Q. Do these tables show the differences in  
14 lateral lengths between the unitized and  
15 non-unitized scenarios as you previously  
16 described?

17 A. Yes, they do. The bottom table, second  
18 column on the left.

19 Q. When making your calculation, what did  
20 you look at to estimate potential production with  
21 the Indigo unit?

22 A. We looked at production from and  
23 configuration of nearby wells.

24 Q. Okay. If you could next turn your

1 attention to the map that's on the screen, which  
2 is the analogue well map. Does the exhibit show  
3 the wells you used in your analysis?

4 A. Yes, it does.

5 Q. Can you explain to the Division, what  
6 all is shown on this map?

7 A. Sure. So starting with the wells shown  
8 with green lines, those are the wells that are  
9 either drilled, being drilled, permitted, or  
10 unitized but not yet producing. Next, the wells  
11 with the black lines are the currently producing  
12 wells. And then the black-lined wells also have  
13 numbered labels that are the analogue wells that I  
14 used for the purpose of estimating production from  
15 the unit. So the yellow numbered dots are the  
16 ones we use.

17 Q. Can you explain why you selected these  
18 numbered wells for purposes of estimating  
19 production and economics for the Indigo unit?

20 A. Sure, yeah. The short answer there is  
21 that they shared similar geological  
22 characteristics as well as expecting fluid  
23 compositions.

24 Q. I would now like to turn to the table

1 that goes along with the analogue map that we just  
2 spoke about; it's on the screen. Can you tell me,  
3 does this information on the table relate to the  
4 numbered analogue wells we just discussed?

5 A. Yes, that's correct. You can just look  
6 at the label number and it will match with the  
7 numbered wells.

8 Q. And specifically what information does  
9 that table provide, and why is it relevant to your  
10 engineering analysis?

11 A. This table provides specific well  
12 details that correspond with the labeled wells in  
13 the analogue map. This information is relevant  
14 because it shows we considered the producing time  
15 of the wells, as well as the proximity to the  
16 proposed Indigo unit.

17 Q. On this table, I see the last column on  
18 the right, it states "SHL to SHL." SHL is  
19 "surface hole location," correct?

20 A. Yes, that's correct.

21 Q. And what is the distance describing on  
22 this table?

23 A. So just describes the distance between  
24 the location of the surface or wellhead of

1 analogue wells to the proposed surface or analogue  
2 of the Indigo.

3 Q. On this table, I don't see production  
4 data from the analogue wells. But did you have  
5 access to production data for each of those wells?

6 A. Yes, we did.

7 Q. Did you consider the production of each  
8 of those identified wells when estimating the  
9 production for the Indigo units?

10 A. Yes, we did.

11 Q. Are there any other adjacent units or  
12 horizontal wells drilled in the Utica-Point  
13 Pleasant pool within the same township as the  
14 Indigo wells?

15 A. Yes, there are.

16 Q. We call wells in the same pool and the  
17 same township "adjacent wells," correct?

18 A. Yep.

19 Q. Could you please look at the map? Can  
20 you tell me, does the map show all adjacent units  
21 and wells?

22 A. Yes, it does.

23 Q. Like the analogue well map, I see the  
24 same kind of shading in the analogue as in

1 analogue map. The Indigo unit is the blue-shaded  
2 unit, correct?

3 (Audio feedback.)

4 A. Correct. the Indigo is the blue shade.

5 Q. The blue lines -- and the blue lines --  
6 and the blue shaded maps --

7 (Audio feedback continues.)

8 THE REPORTER: I'm sorry. Can I  
9 interrupt for a second? I'm getting a lot of  
10 feedback. Could you repeat that question over?

11 MR. KARL: Yes, ma'am.

12 THE REPORTER: Thank you so much.

13 Q. Blue lines in the blue shaded box are  
14 the five proposed Indigo wells; is that correct?

15 A. That is correct.

16 Q. Light green-shaded boxes are other  
17 horizontal drilling units in the area, correct?

18 A. That is correct.

19 Q. Green lines are wells that were either  
20 drilled, being drilled, permitted, or unitized,  
21 but not yet produced, correct?

22 A. That is correct.

23 Q. The black lines represent wells that  
24 are non-producing, correct?

1 A. Black lines are producing wells.

2 Q. Producing wells. Thank you.

3 And finally you see a number of yellow  
4 numbered labels, which are attached or noted to  
5 all adjacent wells and the same township,  
6 regardless of their drilling or leasing status,  
7 correct?

8 A. Yes.

9 Q. Did you account for all of these  
10 adjacent units and wells in your analysis of the  
11 economics and potential production for the Indigo  
12 unit, in the application for unitization?

13 A. Yes.

14 Q. If we could, let's turn back to the  
15 economics table. We have already discussed the  
16 Lateral Length column, second from the left. But  
17 I have a few more questions about the other  
18 columns in the table. I now want to move along  
19 the top row from the left, to the right of the  
20 remaining columns.

21 What is "measured depth" and how does  
22 it differ from "lateral length"?

23 A. Sure. So the measured depth includes  
24 both the vertical and lateral sections of the

1 wellbore, as well as the distance from the pad  
2 sites to the last take point. We have a  
3 conservative estimate of the length underground of  
4 the curve, if you will -- the backfill, and that  
5 is all encompassed into the measured depth.

6 Q. In the next column, can you explain  
7 what operating costs are and give some examples of  
8 operating costs?

9 A. Sure. So these operating costs are the  
10 costs that we incur from the day-to-day operations  
11 once the well begins producing. These include  
12 variable oil/gas processing and transportation,  
13 water transportation, and a fixed monthly cost in  
14 dollars per well per month.

15 Q. Continuing our discussion of the  
16 columns in the table, I see that the next column  
17 is "Capital Cost." What is included in capital  
18 costs? And can you please give some examples of  
19 such costs?

20 A. Sure. So our capital costs are broken  
21 up into land, drilling, completions, flowback  
22 facilities, plugging and abandonment, and  
23 reclamation.

24 Q. You mentioned that the capital costs

1 includes costs to plug and abandon the well at the  
2 pad site.

3 A. That's right, yeah.

4 Q. And do you know specifically what those  
5 costs are in this case?

6 A. Yeah. We estimate that it's \$77,000  
7 per well to P&A and restore.

8 Q. The next column, what is "Undiscounted  
9 Value of Estimated Recovery"?

10 A. Sure. That's just the revenue net of  
11 royalties related to the gross revenue exclusive  
12 of operating costs and capital.

13 Q. And while we're discussing revenue, I'd  
14 like to direct your attention to the next slide,  
15 which is the strip price exhibit slide. There is  
16 information on this slide, which identified as  
17 "NYMEX Strip Price." What is that, and how does  
18 it factor into your calculations?

19 A. The NYMEX strip price is how we  
20 calculate the revenue. We pull what the strip  
21 prices is on an effective date. In this instance,  
22 October 22nd, 2025, is when we pulled the strip  
23 price deck in order to estimate the revenues out  
24 of this unit.

1 Q. That would be for both oil and gas,  
2 correct?

3 A. That's correct.

4 Q. Now turning back to the economics  
5 table, the two columns labeled "PV0" and "PV10,"  
6 can you tell me what those columns mean?

7 A. Sure. So the PV is short for "present  
8 value." And that is the present value inclusive  
9 of operating and capital costs that are  
10 represented by different discount rates to account  
11 for the time value of money. So PV0 is  
12 undiscounted and PV10 has a 10 percent discount  
13 rate.

14 Q. Are the PV numbers net of reasonable  
15 expected capital costs and operating expenses?

16 A. Yes, they are.

17 Q. Lastly, I see that there is a column  
18 labeled "Estimated Gross Recovery." What is that?

19 A. That's the estimated volume of  
20 recovered oil and gas converted into BCFe, which  
21 is short for "billion cubic feet equivalent."

22 Q. Is estimated gross recovery a financial  
23 measure, or is it an estimate of the expected  
24 volume of production?

1 A. That's just the expected volume of  
2 production.

3 Q. I see that you have estimated first  
4 recovery as "BCFe." What is that specifically?

5 A. Sure. So again, we're going to convert  
6 everything into billion cubic feet equivalent.  
7 And so we use a six-to-one ratio of gas to oil in  
8 order to accomplish that.

9 Q. Now that we have a better understanding  
10 of what these columns describe, let's look at the  
11 top table. That's the table that shows you the  
12 two scenarios, correct?

13 A. Yes.

14 Q. Under the unitized scenario, table one,  
15 can you tell the Division what is your estimate of  
16 production volumes, revenue, expense costs, and  
17 value productions?

18 A. Sure. So in that order, we expect a  
19 57.15 BCFe of production volumes. We expect our  
20 revenue to be 223.65 million. We expect to incur  
21 50.5 million of operating expenses. We expect to  
22 spend 46.54 million in capital costs. We expect  
23 the PV0 to be 95.69 million, and the PV10 to be  
24 48.14.

1 Q. Now, can you tell the Division how  
2 those numbers change in the second table from the  
3 top, if the wells were drilled without an order  
4 for unit operations?

5 A. Sure. So I mentioned earlier, they are  
6 going to be significantly lower because three  
7 wells will not be able to be drilled and the  
8 remaining two would be at much shorter lateral  
9 lengths.

10 So to be more precise, the production  
11 volumes we estimate would be 6.81 BCFe. The  
12 revenue, we expect to be 26.64. Operating  
13 expense, we expect to be 9.37 million. Capital  
14 costs would be 7.91 million. PV0, we estimate  
15 would be 7.78 million. And the PV10 we estimate  
16 would be 3.34 million.

17 Q. The difference you just described  
18 between the first and second table, is that what  
19 is shown on the third table, correct?

20 A. That is correct. The third table is  
21 the difference between the two.

22 Q. So if we compare the unitized and the  
23 non-unitized scenarios, table one and table two,  
24 in your professional opinion would the estimated

1 ultimate recovery of oil and gas increase  
2 substantially if the Indigo unit could be drilled  
3 under an order for unit operations, as compared to  
4 drilling and production in the non-unitized  
5 scenario?

6 A. Yeah, certainly. I estimate an  
7 additional recovery of 50.34 BCFe.

8 Q. Of natural gas?

9 A. That's correct. Equivalent.

10 Q. Natural gas equivalent, thank you.

11 In your professional opinion, is 50.34  
12 BCFe of natural gas a substantial increase?

13 A. Yes. We estimate that would be an  
14 incremental \$197.01 billion in revenue, so in my  
15 experience and opinion, that is a material amount.

16 Q. Now let's focus for a minute on the  
17 anticipated differences in values between the  
18 unitized and non-unitized scenarios.

19 In your opinion, does the value of  
20 estimated additional recovery of oil and gas with  
21 unit operations exceed the estimated additional  
22 cost of unit operations?

23 A. Yeah, this is most easily understood by  
24 comparing the present value numbers -- the PV.

1 Here, the unit would make an additional 87.91  
2 million on undiscounted net present values, that's  
3 PV0. And on the PV10 it would be an additional  
4 44.8 million.

5 Q. So as I understand your testimony, if  
6 unit operations are allowed, the unit makes 87.91  
7 million more revenue on the undiscounted present  
8 value basis than if unit operations are not  
9 allowed. And that number is after costs are  
10 subtracted; is that correct?

11 A. That is my estimate, yes.

12 Q. Thank you. I have no further  
13 questions, Mr. Dwyer.

14 MR. KARL: The Division may have  
15 additional questions.

16 MS. RICHARDSON: Thank you.

17 I do have a few questions. What is the  
18 estimated economic life of the well in years?

19 THE WITNESS: So for the five wells, we  
20 estimated that to be around 47 years.

21 MS. RICHARDSON: And I saw that the  
22 strip calculation -- is that the price that is  
23 going to be used for your economic calculations?  
24 For 2026, \$4.06, and the average of that 66.26 for

1 the year?

2 THE WITNESS: Yes, ma'am.

3 MS. RICHARDSON: Okay. When do you  
4 estimate you will recover the cost of drilling,  
5 testing, and completing the wells at one times,  
6 one-and-a-half times, two times, and three?

7 THE WITNESS: So I will read them back  
8 to you in that order, and this is going to be in  
9 years. It's 1.58, 2.92, 5.83, and 30.42.

10 MS. RICHARDSON: Thank you. Now you  
11 said that the application has proposed five wells.  
12 Is that the total wells that will be drilled from  
13 the pad?

14 THE WITNESS: So that will not -- there  
15 will be a total of ten wells, if and when we  
16 complete these five because there are five  
17 existing on the current pad.

18 MS. RICHARDSON: Okay. And have you  
19 factored in costs for shutdowns of existing wells  
20 due to simultaneous operations?

21 THE WITNESS: Sure. When we shut in  
22 wells, or if we have to do any kind of an  
23 operating expense on the existing wells, those  
24 costs would be incurred by the existing wells. So

1 that's not anything that's in this application.  
2 This application would -- for the five new wells,  
3 we would have any pad improvements as a capital  
4 cost or -- yeah. But the shut-in value, if you  
5 will, is an operating expense on the other five  
6 wells. So that's not inclusive in these  
7 estimates.

8 MS. RICHARDSON: Are those pad costs --  
9 are they shared equally between the wells?

10 THE WITNESS: Any additional work that  
11 needs to happen on the pad to accommodate these  
12 five wells, those are shared equally across the  
13 five new wells. So they are not distributed  
14 across all ten wells. It's anything extra that  
15 needs to happen to make the five new happen are  
16 then falling on the five new wells.

17 MS. RICHARDSON: And those pad costs  
18 are accounted for in your calculations, correct?

19 THE WITNESS: Yes, ma'am.

20 MS. RICHARDSON: Do you use the actual  
21 pad costs or estimated pad costs in your  
22 economics?

23 THE WITNESS: We used estimated pad  
24 costs.

1 MS. RICHARDSON: Thank you. What  
2 amount was included for plugging and restoration  
3 costs in your economic calculations per well? So  
4 what is plugging; what is restoration?

5 THE WITNESS: You want me to split  
6 those two out?

7 MS. RICHARDSON: Please.

8 THE WITNESS: That what you're asking?  
9 Okay. So the plugging, we estimate 38,000 per  
10 well. And the reclamation, we estimate as 39,000.

11 MS. RICHARDSON: Thank you. What is  
12 the estimated BCF<sub>e</sub> per 1,000 feet?

13 THE WITNESS: 0.72.

14 MS. RICHARDSON: Thank you. What is  
15 the estimated recovery factor in the area?

16 THE WITNESS: We estimate that to be  
17 around five-to-seven percent.

18 MS. RICHARDSON: Thank you.

19 Ms. Barrett, do you have any questions?

20 MS. BARRETT: Yes.

21 - - - - -

22 CROSS-EXAMINATION

23 BY MS. BARRETT:

24 Q. Could you explain how you arrived at 47

1 years for the estimated economic life of the five  
2 wells?

3 A. Sure. So earlier when we mentioned the  
4 operating expenses for the wells, there is a piece  
5 of that that's in dollar per month per well. And  
6 as these wells produce, there is eventually a  
7 point where the revenue we are incurring --  
8 because of course, the oil well is declining with  
9 time, if the revenue is less than those operating  
10 expenses, that would be at the time at which the  
11 well would be killed because it would be going  
12 negative on the value side.

13 So the short answer is, we kill the  
14 well once it becomes unprofitable.

15 Q. Okay. And the plugging and restoration  
16 costs that were included in your calculations, how  
17 did you arrive at those?

18 A. So we estimate that based off of our  
19 production team. They canvas what the vendors are  
20 currently charging for the operation, and then  
21 they arrive at an estimate that way. Just scoping  
22 out what the current market rate is for those  
23 services.

24 Q. Okay. Thank you.

1 MS. BARRETT: No further questions for  
2 me.

3 MS. RICHARDSON: Thank you. Once  
4 again, if you would like to make comments, I am  
5 first going to take all your names and note  
6 whether you are unleased mineral owner, working  
7 interest owner, or an owner with the property in  
8 the unit.

9 Only one person may speak at a time to  
10 properly record the hearing, and please mute your  
11 microphones once you have delivered your comments  
12 or questions to avoid any feedback. Additionally,  
13 anyone speaking today will be asked to provide  
14 their information to the court reporter. If you  
15 are uncomfortable speaking during the hearing, we  
16 will also accept written comments.

17 If you have joined us via WebEx and  
18 would like to make comments, please unmute  
19 yourself and state your name.

20 Hearing none.

21 If anyone has joined us via phone and  
22 would like to make comments, please unmute  
23 yourself by pressing "star 6" and state your name.

24 Hearing none.

1           Ms. Barrett, do you have any additional  
2 questions for the Applicant?

3           MS. BARRETT: No, I do not. Thank you.

4           MS. RICHARDSON: Does the Applicant  
5 have any closing remarks?

6           MR. KARL: Yes, ma'am. With  
7 Mr. Dwyer's testimony, it concludes EOG's  
8 presentation for its unit application. Thank you  
9 for the time today. EOG believes that it has  
10 demonstrated that its application for unit  
11 operations of the Indigo CBR C unit meets the  
12 requirements of ORC 1509.28 and, therefore, asks  
13 the Division to grant the application.

14          MS. RICHARDSON: Thank you.

15          Thank you, everyone. The hearing is  
16 now concluded.

17                           - - - - -

18          Thereupon, the foregoing proceedings  
19 concluded at 12:31 p.m.

20                           - - - - -

1 State of Ohio : C E R T I F I C A T E  
2 County of Franklin: SS

3 I, Bridget Mary Hoyer, a Notary Public in and  
4 for the State of Ohio, do hereby certify that I  
5 transcribed or supervised the transcription of the  
6 audio recording of the aforementioned proceedings;  
7 that the foregoing is a true record of the  
8 proceedings.

9 I do further certify I am not a relative,  
10 employee or attorney of any of the parties hereto,  
11 and further I am not a relative or employee of any  
12 attorney or counsel employed by the parties  
13 hereto, or financially interested in the action.

14 IN WITNESS WHEREOF, I have hereunto set my  
15 hand and affixed my seal of office at Columbus,  
16 Ohio, on January 21, 2025.

17  
18  
19 

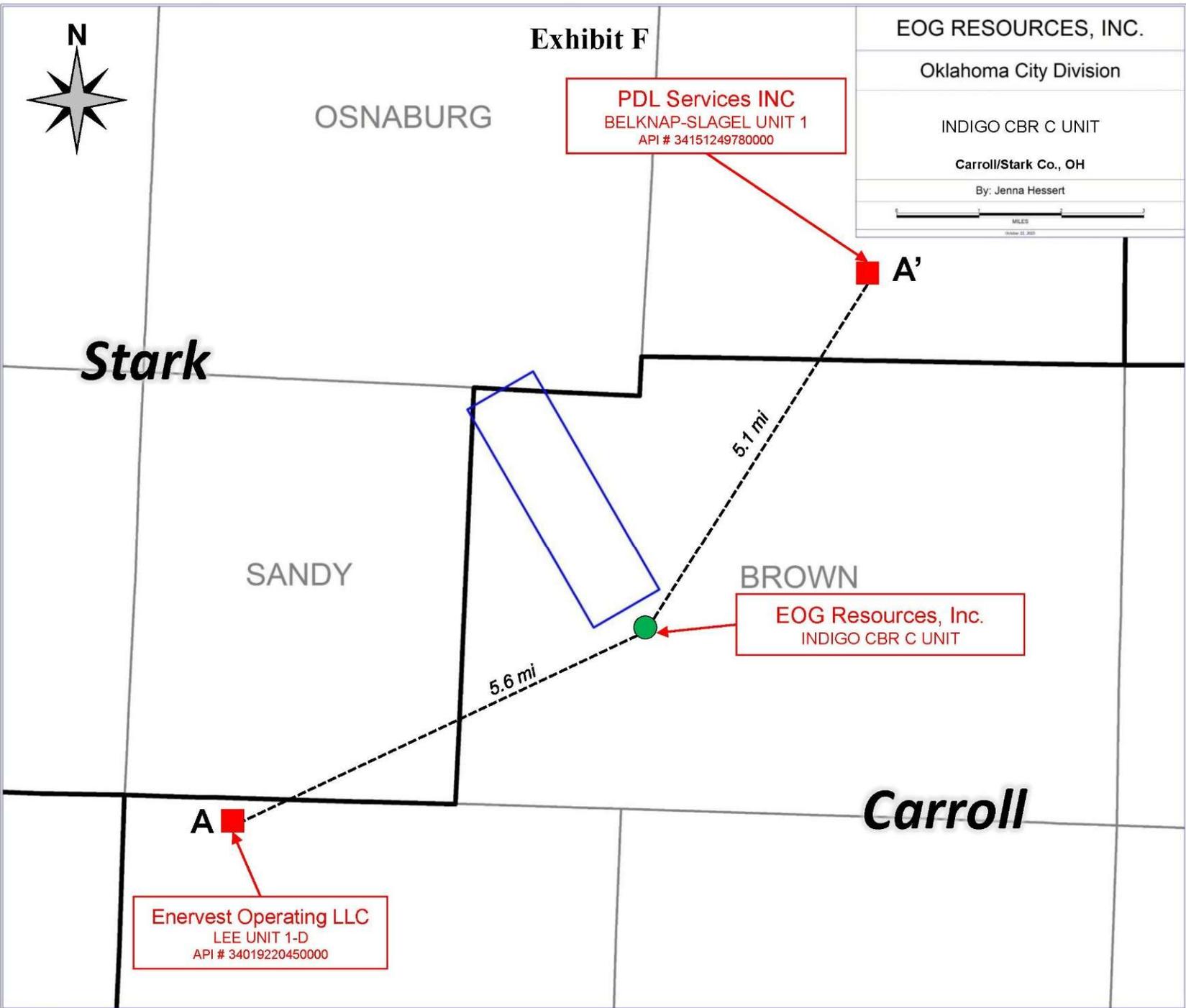
20 \_\_\_\_\_  
21 Bridget Mary Hoyer, Notary Public - State of Ohio  
22 My commission expires April 14, 2030.

INDIGO CBR C UNIT  
UNITIZATION HEARING  
JANUARY 7, 2026



Robert J. Karl, Esq.  
Michael Britt, Esq.  
Porter Wright Morris & Arthur LLP  
41 S. High St., Suites 2800-3200  
Columbus, Ohio 43215





- Pilot Well
- Surface Pad Location

# Exhibit E

A

34019220450000  
 ENERVEST OPERATING LLC  
 LEE UNIT 1-D  
 ELEV\_KB : 960

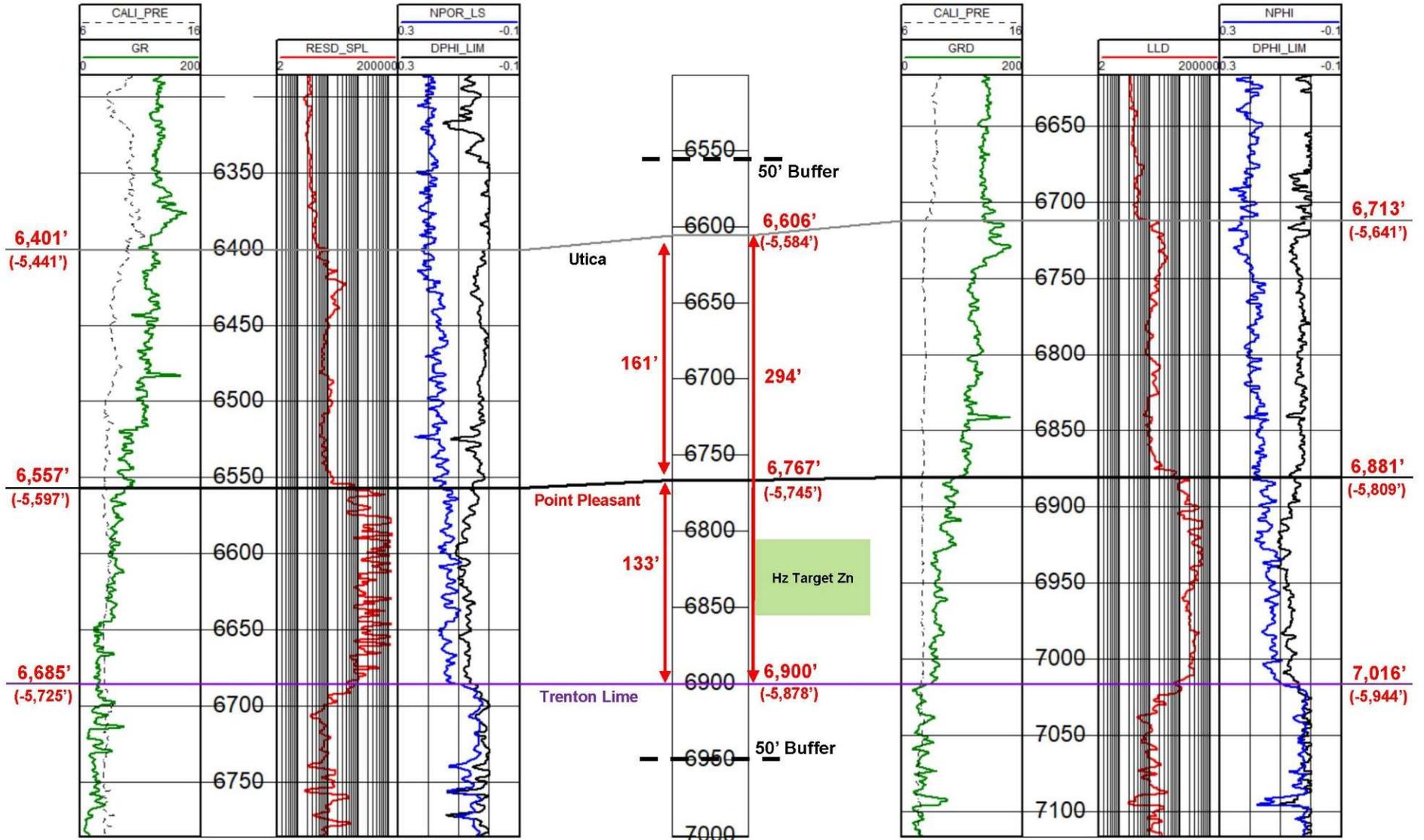
5.6 miles

EOG RESOURCES, INC.  
 INDIGO CBR C UNIT  
 ELEV\_KB : 1,022

5.1 miles

34151249780000  
 PDL SERVICES INC  
 BELKNAP-SLAGEI UNIT 1  
 ELEV\_KB : 1,072

A'



**Unitized Scenario**

Well Name	Lateral Length (ft)	Measured Depth (ft)	Operating Costs (MM\$)	Capital Costs (MM\$)	Undiscounted Value of Estimated Recovery (MM\$)	PV0 (MM\$)	PV10 (MM\$)	Estimated Gross Recovery (BCFe)	Supplement
INDIGO CBR 2C	15,840	23,072	10.10	9.31	44.73	19.14	9.63	11.43	<input type="checkbox"/>
INDIGO CBR 4C	15,840	22,933	10.10	9.29	44.73	19.15	9.64	11.43	<input type="checkbox"/>
INDIGO CBR 6C	15,840	22,936	10.10	9.29	44.73	19.15	9.64	11.43	<input type="checkbox"/>
INDIGO CBR 8C	15,840	23,078	10.10	9.31	44.73	19.14	9.63	11.43	<input type="checkbox"/>
INDIGO CBR 10C	15,840	23,354	10.10	9.34	44.73	19.11	9.60	11.43	<input type="checkbox"/>
<b>Total:</b>	79,200	115,373	50.50	46.54	223.65	95.69	48.14	57.15	<input type="checkbox"/>

**Non-Unitized Scenario**

Well Name	Lateral Length (ft)	Measured Depth (ft)	Operating Costs (MM\$)	Capital Costs (MM\$)	Undiscounted Value of Estimated Recovery (MM\$)	PV0 (MM\$)	PV10 (MM\$)	Estimated Gross Recovery (BCFe)	Supplement
INDIGO CBR 2C	4,847	12,079	4.75	3.89	13.69	4.16	1.86	3.50	<input type="checkbox"/>
INDIGO CBR 4C	4,585	12,233	4.62	4.02	12.95	3.62	1.48	3.31	<input type="checkbox"/>
INDIGO CBR 6C	0	0	0	0	0	0	0	0	<input type="checkbox"/>
INDIGO CBR 8C	0	0	0	0	0	0	0	0	<input type="checkbox"/>
INDIGO CBR 10C	0	0	0	0	0	0	0	0	<input type="checkbox"/>
<b>Total:</b>	9,432	24,312	9.37	7.91	26.64	7.78	3.34	6.81	<input type="checkbox"/>

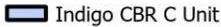
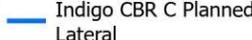
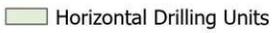
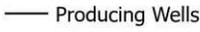
**Difference**

Well Name	Lateral Length (ft)	Measured Depth (ft)	Operating Costs (MM\$)	Capital Costs (MM\$)	Undiscounted Value of Estimated Recovery (MM\$)	PV0 (MM\$)	PV10 (MM\$)	Estimated Gross Recovery (BCFe)	Supplement
INDIGO CBR 2C	10,993	10,993	5.35	5.42	31.04	14.98	7.77	7.93	<input type="checkbox"/>
INDIGO CBR 4C	11,255	10,700	5.48	5.27	31.78	15.53	8.16	8.12	<input type="checkbox"/>
INDIGO CBR 6C	15,840	22,936	10.10	9.29	44.73	19.15	9.64	11.43	<input type="checkbox"/>
INDIGO CBR 8C	15,840	23,078	10.10	9.31	44.73	19.14	9.63	11.43	<input type="checkbox"/>
INDIGO CBR 10C	15,840	23,354	10.10	9.34	44.73	19.11	9.60	11.43	<input type="checkbox"/>
<b>Total:</b>	69,768	91,061	41.13	38.63	197.01	87.91	44.80	50.34	<input type="checkbox"/>

**October 22, 2025 Strip Price**

Year	Oil Price (\$/bbl)	Gas Price (\$/mcf)
2026	61.54	4.06
2027	62.78	3.99
2028	64.36	3.82
2029	65.77	3.69
LIFE	66.26	4.23

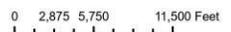


-  Indigo CBR C Unit
-  Indigo CBR C Planned Lateral
-  Horizontal Drilling Units
-  Drilled/Drilling/Permitted/Unitized Wells
-  Producing Wells

1797.0933 Gross Unit Acres



Indigo CBR C Unit  
Brown Township, Carroll County, Ohio  
Osnaburg & Sandy Township, Stark County, Ohio



Projection: NAD 1927 UTM Zone 17N

Date: 1/2/2026

**Analogue Wells Used in Reserve Calculation Analysis**  
**Indigo CBR C Unit**  
**Brown Township, Carroll County, OH**  
**Osnaburg & Sandy Township, Stark County, OH**

WELL NAME	LABEL NUMBER	API NUMBER	LATERAL LENGTH (FT)	PRODUCTION START DATE	SHL TO SHL (FT)
BROWN 2117 1H	1	34019228000100	8,826	10/31/2022	2.30 miles
DREVON 29-18-7 8H	2	34151257470100	5,835	9/30/2012	6.07 miles
SHADOW CBR07 11A	3	34019228700000	17,753	3/31/2025	2.11 miles
SHADOW CBR07 13A	4	34019228710000	17,688	3/31/2025	2.10 miles
SHADOW CBR07 1A	5	34019228650000	16,695	5/31/2024	2.10 miles
SHADOW CBR07 2B	6	34019228850000	20,941	3/31/2025	2.11 miles
SHADOW CBR07 3A	7	34019228660000	16,499	5/31/2024	2.10 miles
SHADOW CBR07 4B	8	34019228860000	16,696	3/31/2025	2.11 miles
SHADOW CBR07 5A	9	34019228670000	16,697	5/31/2024	2.10 miles
SHADOW CBR07 7A	10	34019228680000	16,144	5/31/2024	2.09 miles
SHADOW CBR07 9A	11	34019228690000	17,651	5/31/2024	2.09 miles
TIMBERWOLF CBN16 2A	12	34019228480000	16,614	7/31/2023	2.79 miles
TIMBERWOLF CBN16 4A	13	34019228490000	16,257	7/31/2023	2.78 miles
TIMBERWOLF CBN16 6A	14	34019228500000	16,291	7/31/2023	2.78 miles
TIMBERWOLF CBN16 8A	15	34019228510000	16,313	7/31/2023	2.77 miles
WHITACRE 26-17-7 8H	16	34019221410000	4,679	1/31/2012	2.16 miles
WHITACRE CBN26 2A	17	34019228100100	11,652	7/31/2024	2.18 miles
INDIGO CBR 2C	18	N/A	15,840	N/A	0.00 miles
INDIGO CBR 4C	19	N/A	15,840	N/A	0.00 miles
INDIGO CBR 6C	20	N/A	15,840	N/A	0.00 miles
INDIGO CBR 8C	21	N/A	15,840	N/A	0.00 miles
INDIGO CBR 10C	22	N/A	15,840	N/A	0.00 miles



NUMBER	WELL NAME	API
1	INDIGO CBR 2C	PLANNED LATERAL
2	INDIGO CBR 4C	PLANNED LATERAL
3	INDIGO CBR 6C	PLANNED LATERAL
4	INDIGO CBR 8C	PLANNED LATERAL
5	INDIGO CBR 10C	PLANNED LATERAL
6	INDIGO CBR 11B	34019229400000
7	INDIGO CBR 9B	34019229390000
8	INDIGO CBR 7B	34019229380000
9	INDIGO CBR 5A	34019229370000
10	INDIGO CBR 3A	34019229360000
11	INDIGO CBR 1A	34019229350000
12	NAVY CBR 9A	34019229080000
13	NAVY CBR 7A	34019229070000
14	NAVY CBR 5A	34019229060000
15	NAVY CBR 3A	34019229050000
16	NAVY CBR 1A	34019229040000
17	NAVY CBR 10B	PLANNED LATERAL
18	NAVY CBR 8B	PLANNED LATERAL
19	NAVY CBR 6B	PLANNED LATERAL
20	NAVY CBR 4B	PLANNED LATERAL
21	NAVY CBR 2B	PLANNED LATERAL
22	SHADOW CBR 12C	34019229320000
23	SHADOW CBR 10C	34019229310000
24	SHADOW CBR 8C	34019229300000
25	SHADOW CBR 6C	34019229290000
26	SHADOW CBR07 13A	34019228710000
27	SHADOW CBR07 11A	34019228700000
28	SHADOW CBR07 9A	34019228690000
29	SHADOW CBR07 7A	34019228680000
30	SHADOW CBR07 5A	34019228670000
31	SHADOW CBR07 3A	34019228660000
32	SHADOW CBR07 1A	34019228650000
33	BROWN 2117 1H	34019228000000
34	STARK BRICK UNIT 13-HA	34019227460000
35	SHADOW CBR07 2B	34019228850000
36	SHADOW CBR07 4B	34019228860000
37	DREVON 29-18-7 8H	34151257470100
38	WHITACRE CBN26 4B	PLANNED LATERAL
39	WHITACRE CBN26 2A	34019228100000
40	WHITACRE 26-17-7 8H	34019221410000
41	QUARTZ SSY 1A	UNASSIGNED
42	QUARTZ SSY 3A	UNASSIGNED

NUMBER	WELL NAME	API
43	QUARTZ SSY 5A	UNASSIGNED
44	QUARTZ SSY 7A	UNASSIGNED
45	COBALT CBR 9A	PLANNED LATERAL
46	COBALT CBR 7A	PLANNED LATERAL
47	COBALT CBR 5A	PLANNED LATERAL
48	COBALT CBR 3A	PLANNED LATERAL
49	COBALT CBR 1A	PLANNED LATERAL
50	CASPER 13HU	34019229500000
51	CASPER 15HU	34019229510000
52	CASPER 1HU	34019228550000
53	CASPER 3HU	34019228570000
54	CASPER 5HU	34019228580000
55	CASPER 7HU	34019228590000
56	LARKE CR BRN 206H	34019228750000
57	LARKE CR BRN 6H	34019228720000
58	LARKE CR BRN 8H	34019228730000
59	LARKE CR BRN 10H	34019228740000
60	LARKE CR BRN 210H	34019228760000
61	TIMBERWOLF CBN16 8A	34019228510000
62	TIMBERWOLF CBN16 6A	34019228500000
63	TIMBERWOLF CBN16 4A	34019228490000
64	TIMBERWOLF CBN16 2A	34019228480000
65	BOWLING 23-16-6 1H	34019228390000
66	BOWLING 23-16-6 3H	34019228400000
67	BOWLING 23-16-6 5H	34019228410000
68	BOWLING 23-16-6 205H	34019228420000
69	THE WRIGHT WAY CR BRN 201H	UNASSIGNED
70	THE WRIGHT WAY CR BRN 1H	UNASSIGNED
71	THE WRIGHT WAY CR BRN 3H	UNASSIGNED
72	BOWLING 23-16-6 10H	34019221970000
73	PERRY UNIT 2H	34019226890100
74	PERRY 4H	34019227830000
75	PERRY 6H	34019227840000
76	GOEBELER 10H	34019227990000
77	GOEBELER 4H	34019227980000
78	GOEBELER UNIT 2H	34019226180000
79	GOEBELER UNIT 6H	34019227380000
80	GOEBELER UNIT 8H	34019227370000
81	KIKO 4H	34019228360000
82	KIKO 6H	34019228370000
83	KIKO 8H	34019228380000
84	KIKO 10H	34019228560000