

District I  
1625 N. French Drive, Hobbs, NM 88240  
District II  
811 S. First St., Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S. St Francis Dr, Santa Fe, NM  
87505

State of New Mexico  
Energy, Minerals and Natural Resources Department  
**OIL CONSERVATION DIVISION**  
1220 S. St Francis Drive  
Santa Fe, New Mexico 87505

Form C-107-B  
Revised August 1, 2011

Submit the original  
application to the Santa Fe  
office with one copy to the  
appropriate District Office.

### APPLICATION FOR SURFACE COMMINGLING (DIVERSE OWNERSHIP)

OPERATOR NAME: Colgate Operating, LLC  
OPERATOR ADDRESS: 300 North Marienfeld Street, Suite 1000 Midland, Texas 79701  
APPLICATION TYPE:

☐ Pool Commingling ☒ Lease Commingling ☐ Pool and Lease Commingling ☐ Off-Lease Storage and Measurement (Only if not Surface Commingled)

LEASE TYPE: ☐ Fee ☐ State ☒ Federal

Is this an Amendment to existing Order? ☐ Yes ☒ No If "Yes", please include the appropriate Order No. \_\_\_\_\_  
Have the Bureau of Land Management (BLM) and State Land office (SLO) been notified in writing of the proposed commingling  
☐ Yes ☒ No

#### (A) POOL COMMINGLING

Please attach sheets with the following information

(1) Pool Names and Codes	Gravities / BTU of Non-Commingled Production	Calculated Gravities / BTU of Commingled Production		Calculated Value of Commingled Production	Volumes

- (2) Are any wells producing at top allowables? ☐ Yes ☐ No  
(3) Has all interest owners been notified by certified mail of the proposed commingling? ☐ Yes ☐ No.  
(4) Measurement type: ☐ Metering ☐ Other (Specify)  
(5) Will commingling decrease the value of production? ☐ Yes ☐ No If "yes", describe why commingling should be approved

#### (B) LEASE COMMINGLING

Please attach sheets with the following information

- (1) Pool Name and Code. Parkway; Bone Spring (49622)  
(2) Is all production from same source of supply? ☒ Yes ☐ No  
(3) Has all interest owners been notified by certified mail of the proposed commingling? ☒ Yes ☐ No  
(4) Measurement type: ☒ Metering ☐ Other (Specify)

#### (C) POOL and LEASE COMMINGLING

Please attach sheets with the following information

- (1) Complete Sections A and E.

#### (D) OFF-LEASE STORAGE and MEASUREMENT

Please attached sheets with the following information

- (1) Is all production from same source of supply? ☐ Yes ☐ No  
(2) Include proof of notice to all interest owners.

#### (E) ADDITIONAL INFORMATION (for all application types)

Please attach sheets with the following information

- (1) A schematic diagram of facility, including legal location.  
(2) A plat with lease boundaries showing all well and facility locations. Include lease numbers if Federal or State lands are involved.  
(3) Lease Names, Lease and Well Numbers, and API Numbers.

I hereby certify that the information above is true and complete to the best of my knowledge and belief.

SIGNATURE: Mikah Thomas TITLE: Operations Tech DATE: 02.14.2022

TYPE OR PRINT NAME Mikah Thomas TELEPHONE NO.: 432-695-4272

E-MAIL ADDRESS: mthomas@colgateenergy.com

## Allocation Methodology

### PRORATED ALLOCATION

#### GAS ALLOCATION

Each well has a Wellhead (WH) meter and a Gas Lift (GL) meter. The CTB has a FC Meter that measures the volume of gas that leaves the CTB, this FC meter is considered an FMP. The INJ BB meter that measures off-lease gas coming on lease used for gas lift from the gathering line is considered an FMP.

1. Buyback FM is the volume of off-lease gas used for gas lift and to run the compressor, it is calculated by Buyback – Comp Fuel,
2. Net Well Production is base amount of production not used for gas lift and is calculated by subtracting Gas Lift (GL) volume from the wellhead (WH) meter reading.
3. Lease use is the volume of gas used by the equipment on the CTB allocated to the wells by Lease Use volume/total hours produced by all wells on CTB \* each wells Hours On.
4. Theoretical % used for the allocation of production/sales is calculated by dividing the Net Well Production volume for each well into the sum of the Net Well Production.
5. CTB FC-INJ BB (Net CTB Gas) is volume of gas for royalty purposes, off lease gas is netted out of FMP meter volume. FC Meter – (INJ BB Meter – GL Compressor). This gives you the volume of gas for royalty purposes that was produced/sold from the CTB.
6. Theoretical % for each well is multiplied by the Net CTB Gas.
7. HP Flare is volume of gas flared from the CTB, allocated to wells by Theoretical % for each well \* HP FL volume.
8. VRU measures the gas from the oil tanks, is allocated based on allocated oil production for each well. VRU is an FMP. VRU measured volume \* theoretical % of oil produced. Each well's oil measured volume/by sum of all oil measured volumes on CTB = theoretical oil volume.
9. Total Net FMP Volumes is total sold from the CTB to the gathering line and is calculated by Net CTB Gas + VRU.
10. Allocated Production is all gas produced by CTB and is calculated by adding Total Net FMP Volumes+ HP Flare + Lease Use.
11. Total Net FMP Volumes is total sold from the CTB to the gathering line and is calculated by Net CTB

## OIL ALLOCATION

Each well has an oil meter measuring the volume of oil produced by the well. This volume is used as the allocation point to prorate Allocated Production and Total Sales Volume (FMP) back to each well.

1. Allocated production is volume of oil produced by the CTB and is calculated by Ending Tank Inventory + Pipeline LACT (FMP) – Beginning Tank Inventory.
2. Available oil for sale is calculated by Pipeline Lact (FMP) – Beginning Tank Inventory.
3. Theoretical % is calculated by dividing each oil meter volume into the sum of oil meters.
4. The Theoretical % for each well is multiplied by the Allocated Production and the Available Sales.
5. Total Sales Volume is the volume of oil sold through the FMP meter. It is calculated by adding available for sale to the beginning inventory for each well.
6. Beginning Inventory comes from previous accounting period's Ending Inventory for each well.
7. Ending Inventory for each well is calculated by adding Beginning Inventory + Allocated Production – Total Sales Volume.

## WATER ALLOCATION

Each well has a water meter measuring the volume of water produced by the well. This volume is used as the allocation point to prorate Allocated Production and Total Transferred Volume back to each well.

1. Allocated production is volume of water produced by the CTB and is calculated by Ending Tank Inventory + Water Transfer – Beginning Tank Inventory.
2. Available Water to Transfer is calculated by Water Transfer – Beginning Tank Inventory.
3. Theoretical % is calculated by dividing each water meter volume into the sum of the water meters.
4. The Theoretical % for each well is multiplied by the Allocated Production and the Available Sales.
5. Total Transfer Volume is the volume of water transferred off the CTB. It is calculated by adding Available to Transfer to the beginning inventory for each well.
6. Beginning Inventory comes from previous accounting period's allocated Ending Inventory for each well.
7. Ending Inventory for each well is calculated by adding beginning inventory + Allocated Production – Total Transfer Volume.

### Applied Allocation Spreadsheet Examples (Oil Stream)

Definition of Factors, Formulas, and Assets	
Oil Allocation Factor	Daily meter reading from a testing vessel (shared or designated by well) for an individual well used as the basis for prorating produced sellable volumes from the OMT.
Well Test Hours	Total hours that well test was conducted for. Used to adjust Oil Allocation Factor to a 24 hour rate. Well test hours can be more than or less than 24 hours but greater than 0.
Hours Flowed	Total hours that well was flowing produced fluids. Used to adjust Oil Allocation Factor to compensate for Oil Allocation Factor being adjusted to a 24 hour rate.
Oil Allocation Factor Basis	The Oil Allocation Factor adjusted to 24 hour basis and corrected for any downtime incurred for the well. Reporting volume to the OGOR.
Theoretical % of Production	Calculated by dividing the Oil Allocation Factor Basis for the individual well into the sum of all Basis' at the OMT. Not visualized in the production accounting program.
Allocated Oil Production	Volume of sold or stored volume produced in the time period ready to sell from the OMT allocated to each well. Reporting Volume to the OGOR.
Oil Master Tank (OMT)	Relative terminology synonymous with Central Tank Battery.
Beginning Oil	Inventory in bbls from the previous accounting periods calculated ending inventories. In the case of a new OMT, during any accounting period, Open inventory would be = 0.
Ending Oil	Inventory in bbls as measure for the date of accounting. Ending inventory can be positive, negative or neutral each day, but cannot sum to < 0.
Dispositions	A measured volume removed from a tank or moved through a LACT. Recorded from a ticket or direct meter read.
Oil Production	Total volume sold or available for sell for each asset at the OMT for accounting period. Calculated by subtracting Ending Oil from Beginning Oil and summing with Dispositions
OMT Totals	Formula to calculate the total volumes sold or available for sale at the OMT for the accounting period. Reporting Volume to the OGOR.
LACT	Measures in bbls the volume transferred at the LACT meter to custody of the midstream gatherer or direct to purchaser.
Oil Tank #	Physical tank count at the OMT. Tanks can vary in size by battery and volume requirements. BBL/Inch factors are calculated and applied at the asset level.

Individual Well Factors and Allocated Production						
Well Name	Oil Allocation Factor	Well Test Hours	Hours Flowed	Oil Allocation Factor Basis	Theoretical % of Production	Allocated Oil Production
xxxxx	817.59	24.00	24.00	817.59	0.62374	821.11
xxxxx	493.20	24.00	24.00	493.20	0.37626	495.33
Totals	1310.79	-	-	1310.79	1.00000	1316.44

Oil Master Tank (OMT)				
Asset	Beginning Oil	Ending Oil	Dispositions	Oil Production
Oil Tank 1 (OT1)	166.80	161.24		-5.56
Oil Tank 2 (OT2)	88.96	88.96		0.00
Oil Tank 3 (OT3)	63.94	63.94		0.00
LACT			1322.00	1322.00
OMT Totals	319.70	314.14		1316.44



### Applied Allocation Spreadsheet Examples (Gas Stream)

Definition of Factors, Formulas, and Assets	
Gas Out	Daily meter reading from a testing vessel (shared or designated by well) for an individual well used as the basis for prorating total produced volumes.
Gas In	Daily meter reading from a designated meter for an individual well for measuring the amount of gas injected into a well for gas lift purposes.
Formation Gas	The total gas produced from the formation. Calculated by subtracting Gas In from Gas Out.
Theoretical % of Production	Calculated by dividing the Formation Gas for the individual well into the sum of all Formation Gas. Not visualized in the production accounting program.
Allocated Gas Production	Total volume of gas sold, flared, utilized for lease operations, or utilized as fuel for compression equipment and less the gas metered through the Gas Buy Back. Reporting Volume to the OGOR.
Allocated Gas Sales	Total volume sold from the CTB less the gas metered through the Gas Buy Back Meter. Reporting Volume to the OGOR.
Allocated Flared Volume	Total volume flared from the CTB. Reporting Volume to the OGOR.
Gas Flare Meter	Metered volume of gas sent to combustion or flare for the CTB
Gas Lease Use Meter	Metered volume of gas utilized for lease operations for pneumatics, power generation, or other necessary operations to operate the CTB.
Gas Sales Meter	Metered volume of gas transferred at a custody exchange point to a midstream gatherer or direct purchaser.
Gas Compressor Factor	Total gas burned as fuel for operation of gas lift compression for purposes of injection for gas lift purposes. An hourly rate factored by the total Hours On of the compressor daily.
Hours On	Total hours the compressor was ran for the allocation period.
Gas Buy Back Meter	Metered volume of gas transferred from a custody exchange point to the operator for use as lease use, compression fuel, or injection volume.
Total Gas Basis	Sum of all gas utilized in the operation of the lease.

#### Individual Well Factors and Allocated Production

Well Name	Gas Out	Gas In	Formation Gas	Theoretical % of Production	Allocated Gas Production	Allocated Gas Sales	Allocated Flared Volume
xxxxx	2370.00	765.80	1604.20	0.61553	1817.67	1556.07	221.59
xxxxx	1763.00	761.00	1002.00	0.38447	1135.33	971.93	138.41
Totals	4133.00	1526.80	2606.20	1.00000	2953.00	2528.00	360.00

#### Total Gas Metered Out of CTB

Asset	Gas Production	Hours On
Gas Flare Meter	360.00	
Gas Lease Use Meter	0.00	
Gas Sales Meter	2528.00	
GL Compressor Factor	65.00	24.00
Gas Buy Back Meter	0.00	
Total Gas Basis	2953.00	

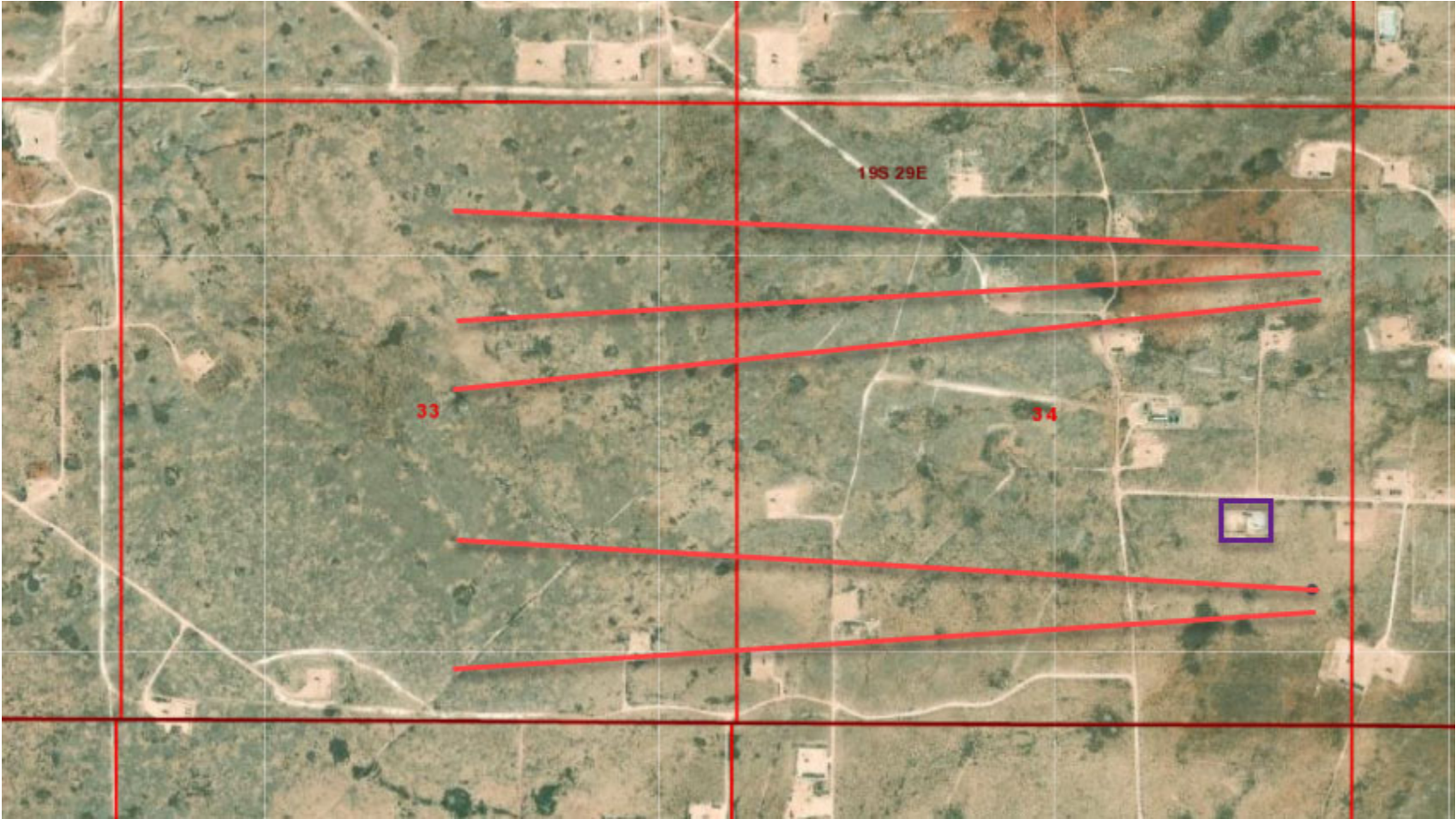
**Applied Allocation Spreadsheet Examples (Water Stream)**

<b>Definition of Factors, Formulas, and Assets</b>	
Water Allocation Factor	Daily meter reading from a testing vessel (shared or designated by well) for an individual well used as the basis for prorating produced volumes from the WMT.
Well Test Hours	Total hours that well test was conducted for. Used to adjust Water Allocation Factor to a 24 hour rate. Well test hours can be more than or less than 24 hours but greater than 0.
Hours Flowed	Total hours that well was flowing produced fluids. Used to adjust Water Allocation Factor to compensate for Water Allocation Factor being adjusted to a 24 hour rate.
Water Allocation Factor Basis	The Water Allocation Factor adjusted to 24 hour basis and corrected for any downtime incurred for the well. Reporting volume to the OGOR.
Theoretical % of Production	Calculated by dividing the Water Allocation Factor Basis for the individual well into the sum of all Basis' at the WMT. Not visualized in the production accounting program.
Allocated Water Production	Volume of sold or stored volume produced in the time period ready to sell from the WMT allocated to each well. Reporting Volume to the OGOR.
Water Master Tank (WMT)	Relative terminology synonymous with Central Tank Battery.
Beginning Water	Inventory in bbls from the previous accounting periods calculated ending inventories. In the case of a new WMT, during any accounting period, Open inventory would be = 0.
Ending Water	Inventory in bbls as measure for the date of accounting. Ending inventory can be positive, negative or neutral each day, but cannot sum to < 0.
Dispositions	A measured volume removed from a tank or moved through a Water Transfer Meter. Recorded from a ticket or direct meter read.
Water Production	Total volume moved or available for me for each asset at the WMT for accounting period. Calculated by subtracting Ending Water from Beginning Water and summing with Dispositions
WMT Totals	Formula to calculate the total volumes sold or available for sale at the WMT for the accounting period . Reporting Volume to the OGOR.
Water Transfer Meter	Measures in bbls the volume transferred at the Water Transfer meter to custody of the midstream gatherer or direct to disposal.
Water Tank #	Physical tank count at the WMT. Tanks can vary in size by battery and volume requirements. BBL/Inch factors are calculated and applied at the asset level.

<b>Individual Well Factors and Allocated Production</b>						
Well Name	Water Allocation Factor	Well Test Hours	Hours Flowed	Water Allocation Factor Basis	Theoretical % of Production	Allocated Water
xxxxx	1571.00	24.00	24.00	1571.00	0.55512	1577.66
xxxxx	1259.00	24.00	24.00	1259.00	0.44488	1264.34
Totals	2830.00	-	-	2830.00	1.00000	2842.00

<b>Water Master Tank (WMT)</b>				
Asset	Beginning Water	Ending Water	Dispositions	Water Production
Water Tank 1 (WT1)	36.14	36.14		0.00
Water Tank 2 (WT2)	30.58	30.58		0.00
Water Tank 3 (WT3)	33.96	33.96		0.00
Water Transfer Meter			2842.00	2842.00
WMT Totals	100.68	100.68		2842.00

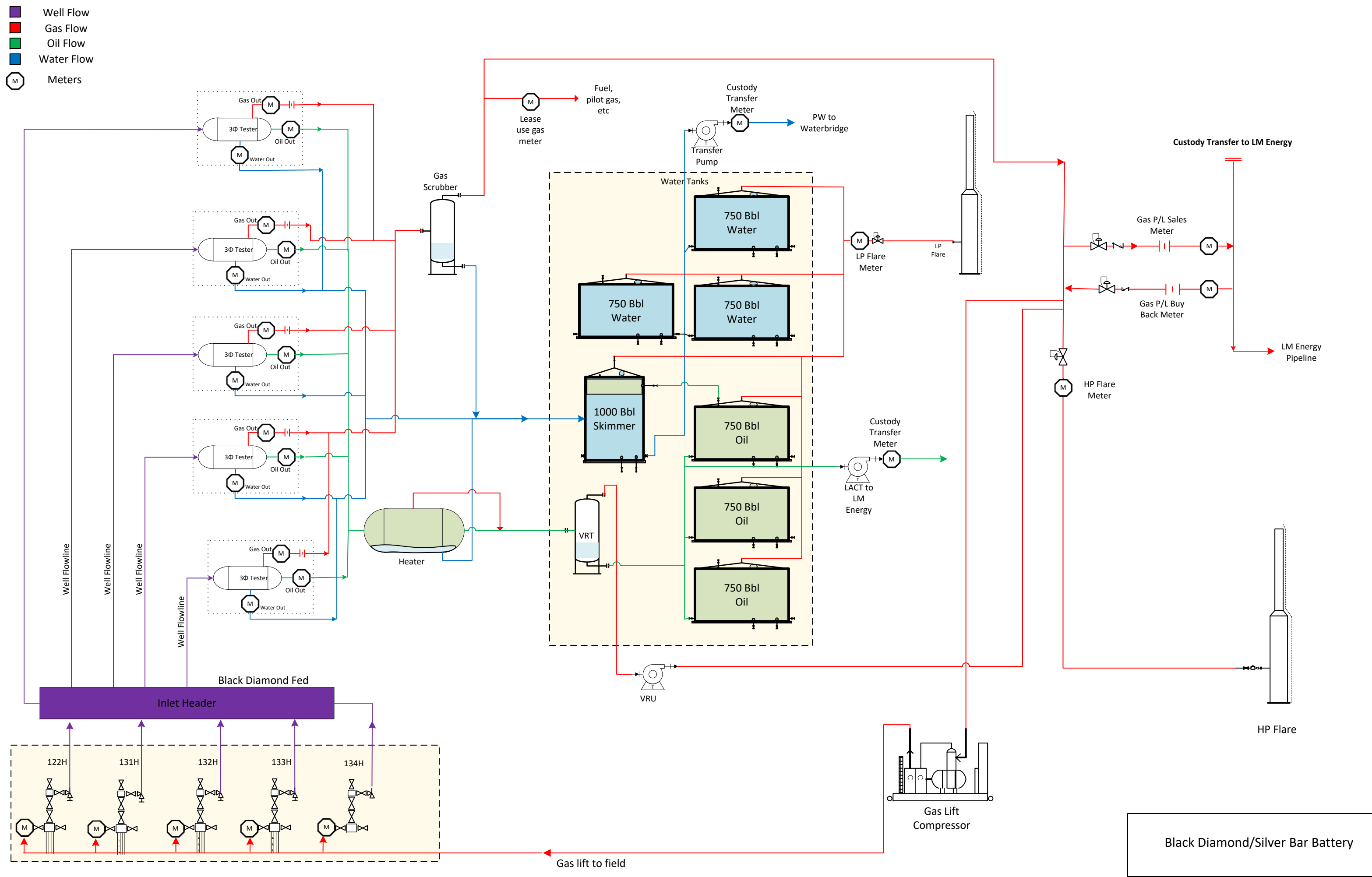
Colgate Operating, LLC  
Black Diamond 34 Fed Overview Map  
Sec 34, T19S, R29E  
Eddy County, New Mexico

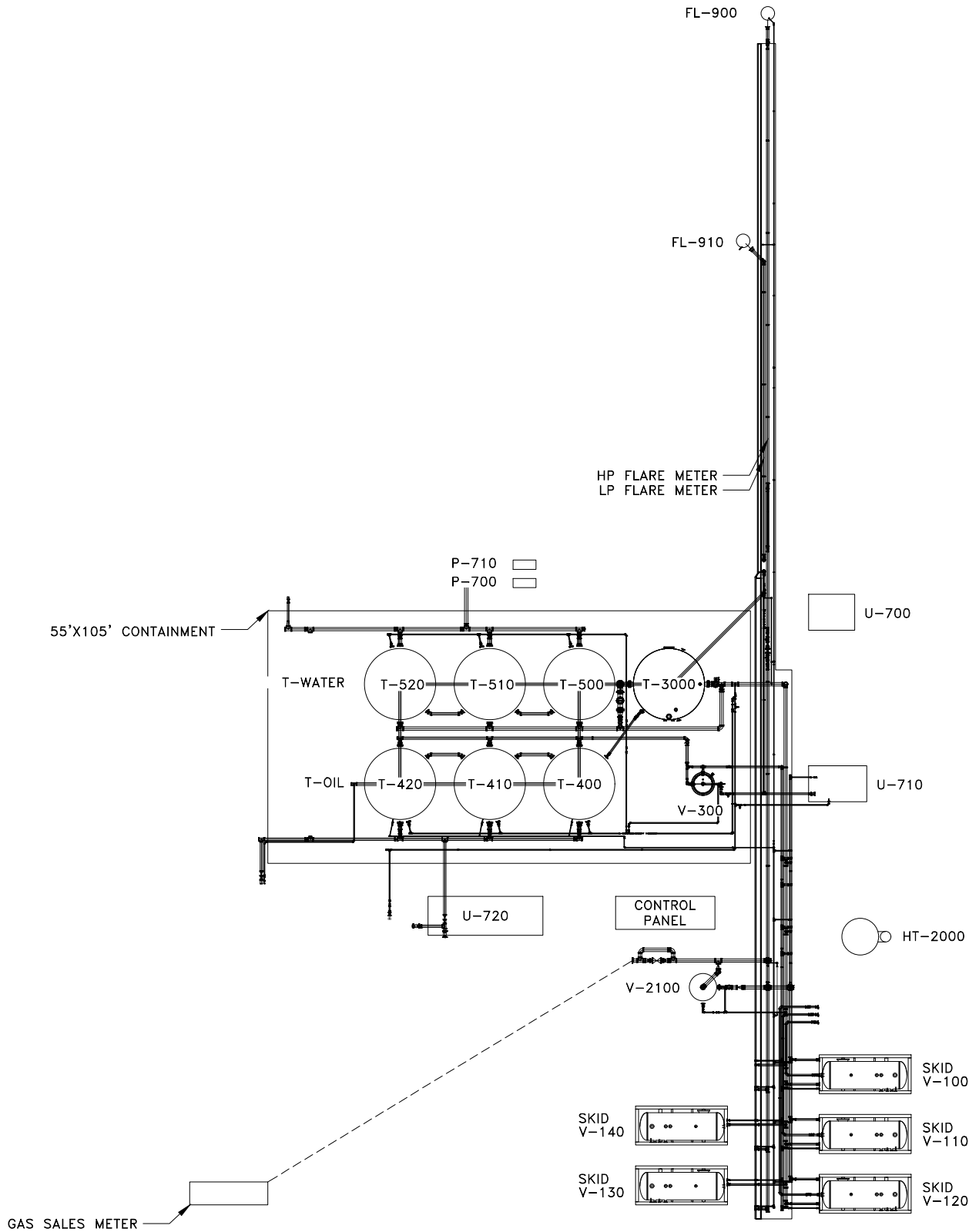


Section 33 and Section 34 Federal Lands

Wellbore

Battery





- V-100 THRU 140  
3-PHASE SEPARATOR  
HZ. 3PH SEPARATOR  
72" OD X 15'-0" S/S
- HT-2000  
HEATER TREATER  
HZ, VESSEL  
96" OD X 20'-0" S/S
- V-2100  
GAS SCRUBBER  
VERT. VESSEL  
72" OD X 15'-0" S/S
- U-700  
VAPOR RECOVERY UNIT  
VAPOR RECOVERY UNIT  
20 H.P.
- U-710  
GAS RECOVERY UNIT  
GAS RECOVERY UNIT  
118 H.P.
- U-720  
LACT  
100 H.P.  
SKID: 8'-6" x 25'-0"
- V-300  
VAPOR RECOVERY TOWER  
3PH VRT  
48" OD X 45'-0" HT
- T-3000  
SKIM TANK  
SKIM TANK  
15'-6" OD X 30'-0" HT  
1000 BBL  
COLOR: BLM SHALE GREEN
- T-500 THRU 520  
WATER TANKS  
WATER STORAGE TANK  
15'-6" OD X 24'-0" HT  
750 BBL  
COLOR: BLM SHALE GREEN
- T-400 THRU 420  
OIL TANKS  
OIL STORAGE TANKS  
15'-6" OD X 24'-0" HT  
750 BBL  
COLOR: BLM SHALE GREEN
- V-320  
FLARE K.O.  
2'-0" X 5'-0"
- P-700/710  
WATER TRANSFER PUMPS  
XXX H.P. ELECTRIC PUMPS
- FS-900  
FLARE  
XX,000 MSCFD
- FS-910  
FLARE  
XX,000 MSCFD

NOTE:

ISSUED  
JULY 09, 2021  
FOR REVIEW

R:\01\_Colgate\21307 - Black Diamond CTB\2. Eng., Design\2.3 Piping, Mech\2.3.2 Plot Plans\D-21307-20-001.dwg 20210713.173541

Released to Imaging: 2/20/2023 8:27:50 AM

REFERENCE DRAWINGS		REVISIONS					
NO.	TITLE	NO.	DATE	DESCRIPTION	BY	CHK.	APP.
		A	07/09/21	ISSUED FOR REVIEW	MAC	RG	



3S Services, LLC  
ENGINEERING & DESIGN  
Ph: 432-687-5611 Midland, Texas 79705  
WWW.3SENGINEERINGDESIGN.COM  
TBPE FIRM REG. #13809  
NM FIRM REG. #4545320  
OKLA FIRM REG. #3712353615

NOTICE		ENGINEERING RECORD		BLACK DIAMOND BATTERY PLOT PLAN		
THIS DRAWING HAS NOT BEEN PUBLISHED BUT RATHER HAS BEEN PREPARED BY 3S ENGINEERING & DESIGN, FOR USE BY THE CLIENT NAMED IN THE TITLE BLOCK SOLELY IN RESPECT OF THE CONSTRUCTION, OPERATION AND MAINTENANCE OF FACILITY NAMED IN THE TITLE BLOCK AND SHALL NOT BE USED FOR ANY OTHER PURPOSE, OR FURNISHED TO ANY OTHER PARTY, WITHOUT THE EXPRESS WRITTEN PERMISSION OF 3S ENGINEERING & DESIGN.		BY	DATE			
		DRN: MAC	07/08/21			
		DES:				
		CHK:				
		APP:				
		AFE No.				
		FACILITY ENGR.				
		PROJ. ENGR:		PLOT SCALE NONE	DWG. NO.	REV
		SCALE: NONE		CAD NO.	D-21307-20-001	A



## Commingling Application - Service List

## Colgate Operating, LLC

## Black Diamond 34 Fed 131H, 132H, 133H, 134H Ownership

	NEW MEXICO OIL CONSERVATION DIVISION	811 S. FIRST STREET ARTESIA, NM 88210
	NEW MEXICO OIL CONSERVATION DIVISION	1220 SOUTH ST. FRANCIS DRIVE SANTA FE, NM 87505
ORRI	SHAWN P. & FRANCES A. HANNIFIN	730 17TH STREET, STE. 325 DENVER, CO 80202
ORRI	FROST BANK, TRUSTEE OF JOSEPHINE T. HUDSON TESTAMENTARY TRUST	P.O. BOX 1600 SAN ANTONIO, TX 78296
ORRI	K B LIMITED PARTNERSHIP	PO DRAWER 2588 ROSWELL, NM 88202-2588
ORRI	KENEBREW MINERALS LP	PO BOX 917 IDALOU, TX 79329
ORRI	LINDYS LIVING TRUST	4200 S HULEN SUITE 302 FORT WORTH, TX 76109
ORRI	BUREAU OF LAND MANAGEMENT	301 DINOSAUR TRAIL SANTA FE, NM 87508
ORRI	BUREAU OF LAND MANAGEMENT	620 E. GREEN STREET CARLSBAD, NM 88220-6262
ORRI	PENROC OIL CORPORATION	PO BOX 2769 HOBBS, NM 88241
ORRI	GENE SHUMATE	P O BOX 2473 MIDLAND, TX 79702
ORRI	CAROL A SHUMATE	P O BOX 80724 MIDLAND, TX 79708-0724
ORRI	ARD ENERGY GROUP LTD	PO BOX 101027 FORT WORTH, TX 76185
ORRI	BABE DEVELOPMENT LLC	PO BOX 758 ROSWELL, NM 88202-0758
ORRI	CHEROKEE LEGACY MINERALS LTD	PO BOX 3217 ALBANY, TX 76430
ORRI	DELMAR HUDSON LEWIS LIVING TRUST	PO BOX 840738 DALLAS, TX 75284-0738
ORRI	DEVARGAS STREET LLC	4613 LOS POBLANOS CIR NW ALBUQUERQUE, NM 87107
ORRI	ALAN R HANNIFIN	PO BOX 8874 DENVER, CO 80201-8874
ORRI	HANNIFIN FAMILY TRUST DTD 2/1/1994	PO BOX 218 MIDLAND, TX 79702-0218
ORRI	JAVELINA PARTNERS	616 TEXAS ST FORT WORTH, TX 76102
ORRI	ALAN JOCHIMSEN	4209 CARDINAL LN MIDLAND, TX 79707
ORRI	JOYCO INVESTMENTS LLC	PO BOX 2104 ROSWELL, NM 88202-2104
ORRI	SUE HANSON MCBRIDE	PO BOX 3480 ROSWELL, NM 88202-3480
ORRI	JULIE SCOTT MCBRIDE	PO BOX 1515 ROSWELL, NM 88202-1515
ORRI	DOUGLAS LADSON MCBRIDE III	PO BOX 1515 ROSWELL, NM 88202-1515
ORRI	MONTY D & KAREN R MCLANE	PO BOX 9451 MIDLAND, TX 79708-9451
ORRI	A NELSON MUNCY	441 LONG COVE DRIVE FAIRVIEW, TX 75069-1951
ORRI	MARTIN B MUNCY	1204 NW 16TH ST ANDREWS, TX 79714-2613
ORRI	ROBERT & MAXINE HANNIFIN TST	PO BOX 218 MIDLAND, TX 79702-0218
ORRI	RODERICK AND MARIAN DAVIS REV TR	8006 S QUEBEC AVE TULSA, OK 74136
ORRI	MICHELLE R SANDOVAL	974 MERGANSER LANE CARLSBAD, CA 92011
ORRI	STATES ROYALTY LIMITED PARTNERSHIP	PO BOX 911 BRECKENDRIDGE, TX 76424-0911

## Commingling Application - Service List

## Colgate Operating, LLC

## Black Diamond 34 Fed 131H, 132H, 133H, 134H Ownership

ORRI	ZORRO PARTNERS, LTD.	616 TEXAS STREET FORT WORTH, TX 76102
ORRI	JOSEPHINE T. HUDSON TESTAMENTARY TRUST, FBO J. TERRELL ARD	P.O. BOX 1600 SAN ANTONIO, TX 78296
ORRI	LONG, LLC	215 SOUTH STATE ST, SUITE 100 SALT LAKE CITY, UTAH 84111
WIO	BORICA OIL, INC	P.O. DRAWER H FORT SUMNER, NEW MEXICO 88119
WIO	BYRON BACHSCHMID	1800 HEREFORD MIDLAND, TX 79707
WIO	CIEZINSKI TRUST	2737 81ST STREET LUBBOCK, TX 79423
WIO	DEAN KINSOLVING	P.O. BOX 325 TATUM, NM 88267
WIO	CHARLES JAY KINSOLVING	HC 65 BOX 209 CROSSROADS, NM 88114
WIO	3SD INTERESTS, LLC	221 DORAN ROAD LOVINGTON, NM 88260
WIO	ASHLEY CROW	P.O. BOX 97 QUANAH, TX 79252
WIO	DEVARGAS STREET, LLC	4613 LOS POBLANOS CIRCLE NW ALBUQUERQUE, NM 87107
WIO	FRANCIS G. TRACY	P.O BOX 868 CARLSBAD, NM 88221
WIO	HANSON OPERATING COMPANY	400 N. PENNSYLVANIA AVE #1200 ROSWELL, NM 88201
WIO	JON CIEZINSKI	2737 81ST STREET LUBBOCK, TX 79423
WIO	JOSE E. RODRIGUEZ	P.O. BOX 691284 HOUSTON, TX 77269-1168
WIO	L. NEIL & MARILYN BURCHAM	665 LA MELODIA DRIVE LAS CRUCES, NM 88011-7907
WIO	NORTON LLC	60 BEACHE AVENUE - BAY VIEW SOUTH DARTMOUTH, MS 02748
WIO	PATRICK & ALICE MORELLO TRUST	3534 GETTYSBURG PL JEFFERSON CITY, MO 65109
WIO	ROBERT L. & PATRICIA J. DALE	15419 PEACH HILL RD SARATOGA, CA 95070
WIO	THUNDERBOLT PETROLEUM LLC	P.O. BOX 10523 MIDLAND, TX 79711
WIO	TIM JENNINGS	P.O. BOX 1797 ROSWELL, NM 88202
WIO	ALPHA ENERGY PARTNERS, LLC	P.O BOX 10701 MIDLAND, TX 79702
WIO	AUBREY L. DUNN SR. & BETTY DUNN	5 WARWICK CT WICHITA FALLS, TX 76309

## Affidavit of Publication

No. 26081

State of New Mexico Publisher:

County of Eddy:

I, My Scott Romine

being duly sworn says that he is the

Publisher

of the Artesia Daily Press, a daily newspaper of General

circulation, published in English at Artesia, said county

of said state, and that the hereto attached

## Legal Ad

was published in a regular and entire issue of the said

Artesia Daily Press, a daily newspaper duly qualified

for that purpose within the meaning of Chapter 167 of

the 1937 Session Laws of the state of New Mexico for

1 Consecutive weeks/day on the same

day as follows:

First Publication

March 24, 2022

Second Publication

Third Publication

Fourth Publication

Fifth Publication

Sixth Publication

Seventh Publication

Subscribed and sworn before me this

24th

day of

March

2022

STATE OF NEW MEXICO  
 NOTARY PUBLIC  
 Latisha Romine  
 Commission Number 1076338  
 My Commission Expires May 12, 2023

*Latisha Romine*

Latisha Romine

Notary Public, Eddy County, New Mexico

## Copy of Publication:

## Legal Notice

Notice of Application for Surface Commingling: Colgate Operating, LLC located at 300 N Marienfeld Street, Suite 1000, Midland TX 79701 is applying to the NMOCD to commingle oil and gas production from their Black Diamond 34 Fed wells producing from leases located in Eddy County, Sections 34 & 33, T19S-R29E. Commingling will take place at the Black Diamond Battery located in NENE, Section 34, T19S-R29E. All wells involved in the proposed commingling will be producing from the Parkway; Bone Spring. Pursuant to Statewide Rule 19.15.12.10, interested parties must file objections or requests for hearing in writing with the division's Santa Fe office within 20 days after publication, or the NMOCD may approve the application. For questions pertaining to the application, please contact Mikah Thomas (432-695-4272).

Published in the Artesia Daily Press, Artesia, N.M., March 24, 2022 Legal No. 26081.



Tracking	Mail_piece	addy_1	addy_2	addy_3
70191640000130628675		1 NEW MEXICO OIL CONSERVATION DIVISION	811 S. FIRST STREET	ARTESIA, NM 88210
70191640000130628682		2 NEW MEXICO OIL CONSERVATION DIVISION	1220 SOUTH ST. FRANCIS DRIVE	SANTA FE, NM 87505
70191640000130628669		3 SHAWN P. & FRANCES A. HANNIFIN	730 17TH STREET, STE. 325	DENVER, CO 80202
70191640000130628507		4 FROST BANK, TRUSTEE OF JOSEPHINE T. HUDSON TESTAMENTA	P.O. BOX 1600	SAN ANTONIO, TX 78296
70191640000130628514		5 K B LIMITED PARTNERSHIP	PO DRAWER 2588	ROSWELL, NM 88202-2588
70191640000130628521		6 KENEBREW MINERALS LP	PO BOX 917	IDALOU, TX 79329
7020613000082194418		7 LINDYS LIVING TRUST	4200 S HULEN SUITE 302	FORT WORTH, TX 76109
70206160000082193282		8 BUREAU OF LAND MANAGEMENT	301 DINOSAUR TRAIL	SANTA FE, NM 87508
70203160000082193275		9 BUREAU OF LAND MANAGEMENT	620 E. GREEN STREET	CARLSBAD, NM 88220-6262
70203160000082193268		10 PENROC OIL CORPORATION	PO BOX 2769	HOBBS, NM 88241
70191640000130628668		11 GENE SHUMATE	P O BOX 2473	MIDLAND, TX 79702
70203160000082194395		12 CAROL A SHUMATE	P O BOX 80724	MIDLAND, TX 79708-0724
70203160000082193510		13 ARD ENERGY GROUP LTD	PO BOX 101027	FORT WORTH, TX 76185
70203160000082193503		14 BABE DEVELOPMENT LLC	PO BOX 758	ROSWELL, NM 88202-0758
70203160000082193497		15 CHEROKEE LEGACY MINERALS LTD	PO BOX 3217	ALBANY, TX 76430
70203160000082193480		16 DELMAR HUDSON LEWIS LIVING TRUST	PO BOX 840738	DALLAS, TX 75284-0738
70203160000082193686		17 DEVARGAS STREET LLC	4613 LOS POBLANOS CIR NW	ALBUQUERQUE, NM 87107
70203160000082193619		18 ALAN R HANNIFIN	PO BOX 8874	DENVER, CO 80201-8874
70203160000082193398		19 HANNIFIN FAMILY TRUST DTD 2/1/1994	PO BOX 218	MIDLAND, TX 79702-0218
70203160000082194142		20 JAVELINA PARTNERS	616 TEXAS ST	FORT WORTH, TX 76102
70203160000082194135		21 ALAN JOCHIMSEN	4209 CARDINAL LN	MIDLAND, TX 79707
70203160000082194128		22 JOYCO INVESTMENTS LLC	PO BOX 2104	ROSWELL, NM 88202-2104
70203160000082194111		23 SUE HANSON MCBRIDE	PO BOX 3480	ROSWELL, NM 88202-3480
70203160000082194104		24 JULIE SCOTT MCBRIDE	PO BOX 1515	ROSWELL, NM 88202-1515
70203160000082194098		25 DOUGLAS LADSON MCBRIDE III	PO BOX 1515	ROSWELL, NM 88202-1515
70203160000082194081		26 MONTY D & KAREN R MCLANE	PO BOX 9451	MIDLAND, TX 79708-9451
70203160000082194074		27 A NELSON MUNCY	441 LONG COVE DRIVE	FAIRVIEW, TX 75069-1951
70203160000082194067		28 MARTIN B MUNCY	1204 NW 16TH ST	ANDREWS, TX 79714-2613
70203160000082194050		29 ROBERT & MAXINE HANNIFIN TST	PO BOX 218	MIDLAND, TX 79702-0218
70203160000082194043		30 RODERICK AND MARIAN DAVIS REV TR	8006 S QUEBEC AVE	TULSA, OK 74136
70203160000082194036		31 MICHELLE R SANDOVAL	974 MERGANSER LANE	CARLSBAD, CA 92011
70203160000082194029		32 STATES ROYALTY LIMITED PARTNERSHIP	PO BOX 911	BRECKENDRIDGE, TX 76424-0911
70203160000082194005		33 ZORRO PARTNERS, LTD.	616 TEXAS STREET	FORT WORTH, TX 76102
70203160000082194012		34 JOSEPHINE T. HUDSON TESTAMENTARY TRUST, FBO J. TERRELL	P.O. BOX 1600	SAN ANTONIO, TX 78296
70203160000082193992		35 LONG, LLC	215 SOUTH STATE ST, SUITE 100	SALT LAKE CITY, UTAH 84111
70203160000082193985		36 BORICA OIL, INC	P.O. DRAWER H	FORT SUMNER, NEW MEXICO 88119
70203160000082193978		37 BYRON BACHSCHMID	1800 HEREFORD	MIDLAND, TX 79707
70203160000082193961		38 CIEZINSKI TRUST	2737 81ST STREET	LUBBOCK, TX 79423
70203160000082193954		39 DEAN KINSOLVING	P.O. BOX 325	TATUM, NM 88267
70203160000082193947		40 CHARLES JAY KINSOLVING	HC 65 BOX 209	CROSSROADS, NM 88114
70203160000082193930		41 3SD INTERESTS, LLC	221 DORAN ROAD	LOVINGTON, NM 88260
70203160000082193923		42 ASHLEY CROW	P.O. BOX 97	QUANAH, TX 79252
70203160000082193916		43 DEVARGAS STREET, LLC	4613 LOS POBLANOS CIRCLE NW	ALBUQUERQUE, NM 87107
70203160000082193909		44 FRANCIS G. TRACY	P.O BOX 868	CARLSBAD, NM 88221
70203160000082193893		45 HANSON OPERATING COMPANY	400 N. PENNSYLVANIA AVE #1200	ROSWELL, NM 88201
70203160000082193886		46 JON CIEZINSKI	2737 81ST STREET	LUBBOCK, TX 79423
70203160000082193862		47 JOSE E. RODRIGUEZ	P.O. BOX 691284	HOUSTON, TX 77269-1168
70203160000082193879		48 L. NEIL & MARILYN BURCHAM	665 LA MELODIA DRIVE	LAS CRUCES, NM 88011-7907
70203160000082193855		49 NORTON LLC	60 BEACHE AVENUE - BAY VIEW	SOUTH DARTMOUTH, MS 02748
70203160000082193848		50 PATRICK & ALICE MORELLO TRUST	3534 GETTYSBURG PL	JEFFERSON CITY, MO 65109
70203160000082193213		51 ROBERT L. & PATRICIA J. DALE	15419 PEACH HILL RD	SARATOGA, CA 95070
70203160000082193190		52 THUNDERBOLT PETROLEUM LLC	P.O. BOX 10523	MIDLAND, TX 79711
70203160000082193206		53 TIM JENNINGS	P.O. BOX 1797	ROSWELL, NM 88202
70203160000082193176		54 ALPHA ENERGY PARTNERS, LLC	P.O BOX 10701	MIDLAND, TX 79702
70203160000082193183		55 AUBREY L. DUNN SR. & BETTY DUNN	5 WARWICK CT	WICHITA FALLS, TX 76309

Form 3160-5  
(June 2019)UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENTFORM APPROVED  
OMB No. 1004-0137  
Expires: October 31, 2021**SUNDRY NOTICES AND REPORTS ON WELLS**  
***Do not use this form for proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals.***

5. Lease Serial No.

6. If Indian, Allottee or Tribe Name

***SUBMIT IN TRIPLICATE - Other instructions on page 2***

1. Type of Well

☐ Oil Well ☐ Gas Well ☐ Other

2. Name of Operator

3a. Address

3b. Phone No. (include area code)

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)

7. If Unit of CA/Agreement, Name and/or No.

8. Well Name and No.

9. API Well No.

10. Field and Pool or Exploratory Area

11. Country or Parish, State

## 12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION				
<input type="checkbox"/> Notice of Intent	<input type="checkbox"/> Acidize	<input type="checkbox"/> Deepen	<input type="checkbox"/> Production (Start/Resume)	<input type="checkbox"/> Water Shut-Off	
	<input type="checkbox"/> Alter Casing	<input type="checkbox"/> Hydraulic Fracturing	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity	
<input type="checkbox"/> Subsequent Report	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input type="checkbox"/> Other	
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon		
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal		

13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recompleat horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompleat in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has detennined that the site is ready for final inspection.)

14. I hereby certify that the foregoing is true and correct. Name (Printed/Typed)

Title

Signature

Date

**THE SPACE FOR FEDERAL OR STATE OFFICE USE**

Approved by

Title

Date

Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Office

Title 18 U.S.C Section 1001 and Title 43 U.S.C Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on page 2)

## GENERAL INSTRUCTIONS

This form is designed for submitting proposals to perform certain well operations and reports of such operations when completed as indicated on Federal and Indian lands pursuant to applicable Federal law and regulations. Any necessary special instructions concerning the use of this form and the number of copies to be submitted, particularly with regard to local area or regional procedures and practices, are either shown below, will be issued by or may be obtained from the local Federal office.

## SPECIFIC INSTRUCTIONS

*Item 4* - Locations on Federal or Indian land should be described in accordance with Federal requirements. Consult the local Federal office for specific instructions.

*Item 13*: Proposals to abandon a well and subsequent reports of abandonment should include such special information as is required by the local Federal office. In addition, such proposals and reports should include reasons for the abandonment; data on any former or present productive zones or other zones with present significant fluid contents not sealed off by cement or otherwise; depths (top and bottom) and method of placement of cement plugs; mud or other material placed below, between and above plugs; amount, size, method of parting of any casing, liner or tubing pulled and the depth to the top of any tubing left in the hole; method of closing top of well and date well site conditioned for final inspection looking for approval of the abandonment. If the proposal will involve **hydraulic fracturing operations**, you must comply with 43 CFR 3162.3-3, including providing information about the protection of usable water. Operators should provide the best available information about all formations containing water and their depths. This information could include data and interpretation of resistivity logs run on nearby wells. Information may also be obtained from state or tribal regulatory agencies and from local BLM offices.

## NOTICES

The privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 30 U.S.C. 181 et seq., 351 et seq., 25 U.S.C. 396; 43 CFR 3160.

PRINCIPAL PURPOSE: The information is used to: (1) Evaluate, when appropriate, approve applications, and report completion of subsequent well operations, on a Federal or Indian lease; and (2) document for administrative use, information for the management, disposal and use of National Resource lands and resources, such as: (a) evaluating the equipment and procedures to be used during a proposed subsequent well operation and reviewing the completed well operations for compliance with the approved plan; (b) requesting and granting approval to perform those actions covered by 43 CFR 3162.3-2, 3162.3-3, and 3162.3-4; (c) reporting the beginning or resumption of production, as required by 43 CFR 3162.4-1(c) and (d) analyzing future applications to drill or modify operations in light of data obtained and methods used.

ROUTINE USES: Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions in connection with congressional inquiries or to consumer reporting agencies to facilitate collection of debts owed the Government.

EFFECT OF NOT PROVIDING THE INFORMATION: Filing of this notice and report and disclosure of the information is mandatory for those subsequent well operations specified in 43 CFR 3162.3-2, 3162.3-3, 3162.3-4.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The BLM collects this information to evaluate proposed and/or completed subsequent well operations on Federal or Indian oil and gas leases.

Response to this request is mandatory.

The BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

**BURDEN HOURS STATEMENT:** Public reporting burden for this form is estimated to average 8 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0137), Bureau Information Collection Clearance Officer (WO-630), 1849 C St., N.W., Mail Stop 401 LS, Washington, D.C. 20240

## Additional Information

### Location of Well

0. SHL: SENE / 1895 FNL / 170 FEL / TWSP: 19S / RANGE: 29E / SECTION: 34 / LAT: 32.6192076 / LONG: -104.05469 ( TVD: 0 feet, MD: 0 feet )

PPP: SENE / 1899 FNL / 50 FEL / TWSP: 19S / RANGE: 29E / SECTION: 34 / LAT: 32.6192048 / LONG: -104.0543003 ( TVD: 5669 feet, MD: 5671 feet )

BHL: SWNE / 1896 FNL / 2625 FEL / TWSP: 19S / RANGE: 29E / SECTION: 33 / LAT: 32.6193001 / LONG: -104.798338 ( TVD: 7942 feet, MD: 15655 feet )



**DISTRICT I**  
1625 N. French Dr., Hobbs, N.M. 88240  
Phone: (575) 393-6161 Fax: (575) 393-0720

**DISTRICT II**  
811 S. First St., Artesia, N.M. 88210  
Phone: (575) 748-1283 Fax: (575) 748-9720

**DISTRICT III**  
1000 Rio Brazos Rd., Aztec, N.M. 87410  
Phone: (505) 334-6178 Fax: (505) 334-6170

**DISTRICT IV**  
1220 S. St. Francis Dr., Santa Fe, N.M. 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico  
Energy, Minerals & Natural Resources Department

OIL CONSERVATION DIVISION

1220 South St. Francis Dr.  
Santa Fe, N.M. 87505

Form C-102

Revised August 1, 2011

Submit one copy to appropriate  
District Office

AS-DRILLED

☐ AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

<sup>1</sup> API Number 30-015-47823	<sup>2</sup> Pool Code 49622	<sup>3</sup> Pool Name PARKWAY; BONE SPRING
<sup>4</sup> Property Code 329892	<sup>5</sup> Property Name Black Diamond 34 Fed	<sup>6</sup> Well Number 132H
<sup>7</sup> GRID No. 371449	<sup>8</sup> Operator Name Colgate Operating, LLC	<sup>9</sup> Elevation 3317

<sup>10</sup> Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
H	34	19 S	29 E		1395	North	301	East	Eddy

<sup>11</sup> Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
G	33	19 S	29 E		2297	North	2623	East	Eddy

<sup>12</sup> Dedicated Acres 240	<sup>13</sup> Joint or Infill	<sup>14</sup> Consolidation Code	<sup>15</sup> Order No.
--------------------------------------	-------------------------------	----------------------------------	-------------------------

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED  
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

16

**Legend:**

- = Surface Location
- = Bottom Hole Location
- ◇ = Kick Off Point (KOP)
- △ = First Take Point (FTP)
- = Last Take Point (LTP)
- ⊙ = Found 1916 USGLO Brass Cap
- ⊗ = Found Monument

NOTE:  
DOWNHOLE INFORMATION TAKEN  
FROM A REPORT FURNISHED  
BY COLGATE ENERGY, DATED 1-20-22

**SURFACE LOCATION**  
NAD 83 NMSPC ZONE 3001  
Y= 589610.72 N  
X= 626996.28 E  
LAT.= 32.6205822° N  
LONG.= 104.0551143° W

**KICK OFF POINT**  
NAD 83 NMSPC ZONE 3001  
Y= 588836.98 N  
X= 627227.70 E  
LAT.= 32.6184537° N  
LONG.= 104.0543692° W


**FIRST TAKE POINT**  
NAD 83 NMSPC ZONE 3001  
Y= 588692.58 N  
X= 627031.90 E  
LAT.= 32.6180582° N  
LONG.= 104.0550064° W

**LAST TAKE POINT**  
NAD 83 NMSPC ZONE 3001  
Y= 588727.33 N  
X= 619478.47 E  
LAT.= 32.6182057° N  
LONG.= 104.0795387° W

**BOTTOM HOLE LOCATION**  
NAD 83 NMSPC ZONE 3001  
Y= 588723.84 N  
X= 619386.75 E  
LAT.= 32.6181967° N  
LONG.= 104.0798366° W

**17 OPERATOR CERTIFICATION**

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

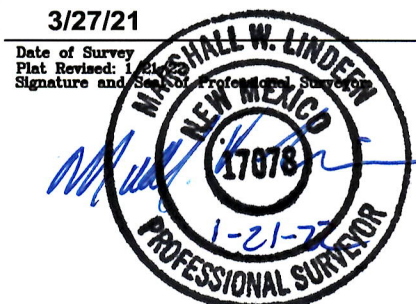
  
Signature  
Date 01.25.2022  
Printed Name Mikah Thomas  
mthomas@colgateenergy.com  
E-mail Address

**18 SURVEYOR CERTIFICATION**

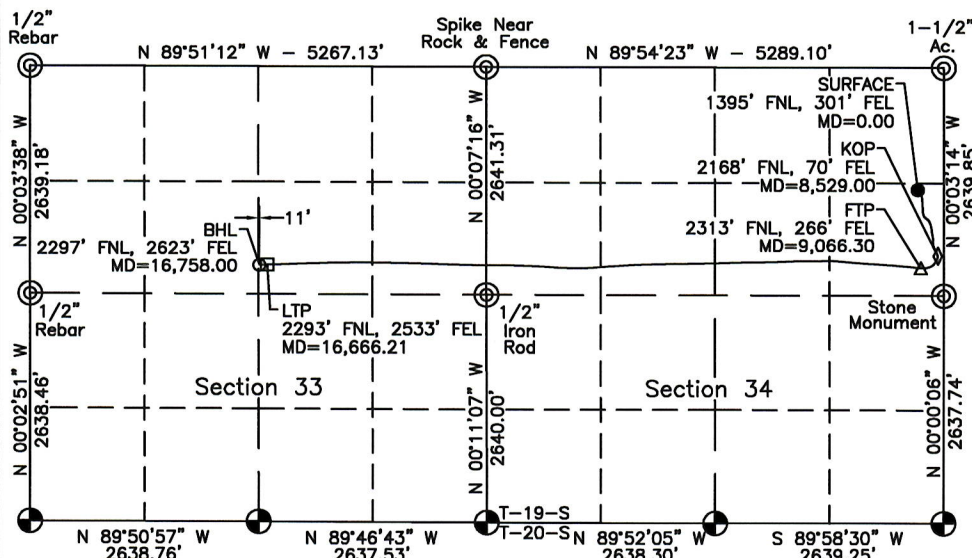
I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

3/27/21

Date of Survey  
Plat Revised: 1-21-22  
Signature and Seal of Professional Surveyor



17078  
Certificate Number





**DISTRICT I**1825 N. French Dr., Hobbs, N.M. 88240  
Phone: (575) 393-6161 Fax: (575) 393-0720**DISTRICT II**811 S. First St., Artesia, N.M. 88210  
Phone: (575) 748-1283 Fax: (575) 748-9720**DISTRICT III**1000 Rio Brazos Rd., Aztec, N.M. 87410  
Phone: (505) 334-6178 Fax: (505) 334-6170**DISTRICT IV**1220 S. St. Francis Dr., Santa Fe, N.M. 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462State of New Mexico  
Energy, Minerals & Natural Resources Department

## OIL CONSERVATION DIVISION

1220 South St. Francis Dr.  
Santa Fe, N.M. 87505

Form C-102

Revised August 1, 2011

Submit one copy to appropriate  
District Office

AS-DRILLED

☐ AMENDED REPORT

## WELL LOCATION AND ACREAGE DEDICATION PLAT

<sup>1</sup> API Number <b>30-015-47821</b>	<sup>2</sup> Pool Code <b>49622</b>	<sup>3</sup> Pool Name <b>PARKWAY; BONE SPRING</b>
<sup>4</sup> Property Code <b>329892</b>	<sup>5</sup> Property Name <b>Black Diamond 34 Fed</b>	<sup>6</sup> Well Number <b>122H</b>
<sup>7</sup> OGRID No. <b>371449</b>	<sup>8</sup> Operator Name <b>Colgate Operating, LLC</b>	<sup>9</sup> Elevation <b>3314</b>

<sup>10</sup> Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
<b>H</b>	<b>34</b>	<b>19 S</b>	<b>29 E</b>		<b>1350</b>	<b>North</b>	<b>301</b>	<b>East</b>	<b>Eddy</b>

<sup>11</sup> Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
<b>G</b>	<b>33</b>	<b>19 S</b>	<b>29 E</b>		<b>2283</b>	<b>North</b>	<b>2608</b>	<b>East</b>	<b>Eddy</b>

<sup>12</sup> Dedicated Acres <b>240</b>	<sup>13</sup> Joint or Infill	<sup>14</sup> Consolidation Code	<sup>15</sup> Order No.
---	-------------------------------	----------------------------------	-------------------------

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED  
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

16

## Legend:

- = Surface Location
- = Bottom Hole Location
- △ = First Take Point (FTP)
- = Last Take Point (LTP)
- ⊕ = Found 1916 USGLO Brass Cap
- ⊙ = Found Monument

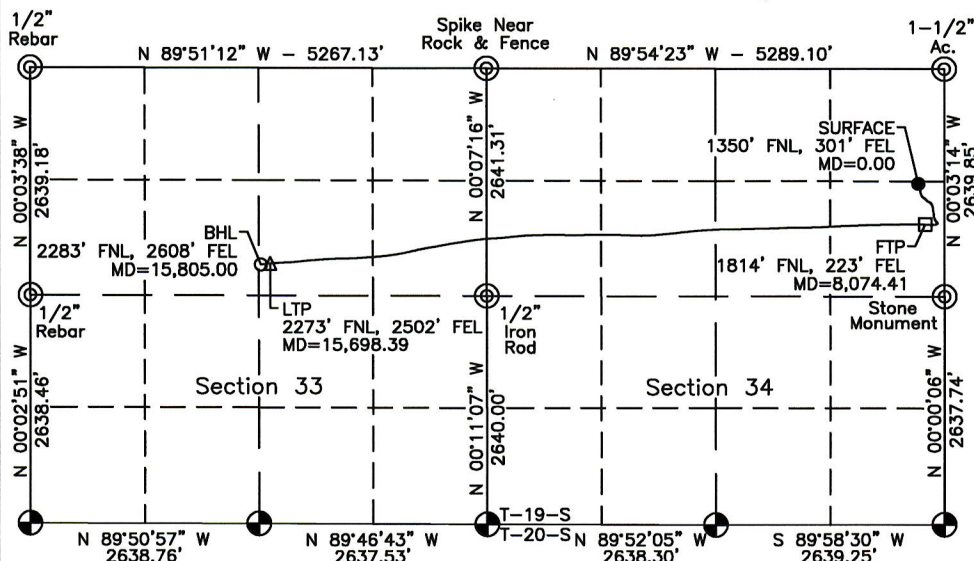
NOTE:  
DOWNHOLE INFORMATION TAKEN  
FROM A REPORT FURNISHED  
BY COLGATE ENERGY, DATED 11-27-21

**SURFACE LOCATION**  
NAD 83 NMSPC ZONE 3001  
Y= 589655.77 N  
X= 626996.31 E  
LAT.= 32.6207060° N  
LONG.= 104.0551138° W

**BOTTOM HOLE LOCATION**  
NAD 83 NMSPC ZONE 3001  
Y= 588737.13 N  
X= 619403.18 E  
LAT.= 32.6182332° N  
LONG.= 104.0797832° W

**LAST TAKE POINT**  
NAD 83 NMSPC ZONE 3001  
Y= 588747.54 N  
X= 619509.28 E  
LAT.= 32.6182611° N  
LONG.= 104.0794385° W

**FIRST TAKE POINT**  
NAD 83 NMSPC ZONE 3001  
Y= 589191.20 N  
X= 627073.99 E  
LAT.= 32.6194285° N  
LONG.= 104.0548655° W

<sup>17</sup> OPERATOR CERTIFICATION

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

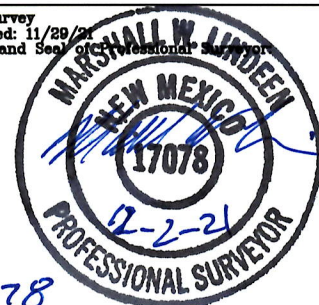
Mikah Thomas 12/03/2021  
Signature Date  
Mikah Thomas  
Printed Name  
mthomas@colgateenergy.com  
E-mail Address

<sup>18</sup> SURVEYOR CERTIFICATION

I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

03/27/21

Date of Survey  
Plat Revised: 11/29/21  
Signature and Seal of Professional Surveyor



17078  
Certificate Number



**DISTRICT I**  
1625 N. French Dr., Hobbs, N.M. 88240  
Phone: (575) 393-6161 Fax: (575) 393-0720

State of New Mexico  
Energy, Minerals & Natural Resources Department

Form C-102

Revised August 1, 2011

**DISTRICT II**  
811 S. First St., Artesia, N.M. 88210  
Phone: (575) 748-1283 Fax: (575) 748-9720

## OIL CONSERVATION DIVISION

Submit one copy to appropriate

**DISTRICT III**  
1000 Rio Brazos Rd., Aztec, N.M. 87410  
Phone: (505) 334-6178 Fax: (505) 334-6170

1220 South St. Francis Dr.  
Santa Fe, N.M. 87505

District Office

**DISTRICT IV**  
1220 S. St. Francis Dr., Santa Fe, N.M. 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462

AS-DRILLED

☐ AMENDED REPORT

## WELL LOCATION AND ACREAGE DEDICATION PLAT

<sup>1</sup> API Number 30-015-47820	<sup>2</sup> Pool Code 49622	<sup>3</sup> Pool Name PARKWAY; BONE SPRING
<sup>4</sup> Property Code 329892	<sup>5</sup> Property Name Black Diamond 34 Fed	<sup>6</sup> Well Number 134H
<sup>7</sup> GRID No. 371449	<sup>8</sup> Operator Name Colgate Operating, LLC	<sup>9</sup> Elevation 3330

<sup>10</sup> Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
P	34	19 S	29 E		1089	South	359	East	Eddy

<sup>11</sup> Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
O	33	19 S	29 E		411	South	2602	East	Eddy

<sup>13</sup> Dedicated Acres <b>240</b>	<sup>13</sup> Joint or Infill	<sup>14</sup> Consolidation Code	<sup>15</sup> Order No.
---	-------------------------------	----------------------------------	-------------------------

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED  
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

16

**Legend:**

- = Surface Location  
○ = Bottom Hole Location  
◇ = Kick Off Point (KOP)  
△ = First Take Point (FTP)  
□ = Last Take Point (LTP)  
⊙ = Found 1916 USGLO  
Brass Cap  
⊗ = Found Monument

NOTE:  
DOWNHOLE INFORMATION TAKEN  
FROM A REPORT FURNISHED  
BY COLGATE ENERGY, DATED 12-9-21

SURFACE LOCATION  
NAD 83 NMSPC ZONE 3001  
Y= 586817.06 N  
X= 626938.87 E  
LAT.= 32.6129037° N  
LONG.= 104.0553245° W

KICK OFF POINT  
NAD 83 NMSPC ZONE 3001  
Y= 586219.33 N  
X= 627176.61 E  
LAT.= 32.6112590° N  
LONG.= 104.0545575° W


FIRST TAKE POINT  
NAD 83 NMSPC ZONE 3001  
Y= 586200.64 N  
X= 626993.53 E  
LAT.= 32.61120891° N  
LONG.= 104.0551522° W

LAST TAKE POINT  
NAD 83 NMSPC ZONE 3001  
Y= 586154.60 N  
X= 619482.24 E  
LAT.= 32.6111340° N  
LONG.= 104.0795464° W

BOTTOM HOLE LOCATION  
NAD 83 NMSPC ZONE 3001  
Y= 586153.54 N  
X= 619417.82 E  
LAT.= 32.6111315° N  
LONG.= 104.0797556° W

## 17 OPERATOR CERTIFICATION

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

 01.18.2022

---

Signature Date

---

Mikah Thomas

---

Printed Name

---

[mthomas@colgateenergy.com](mailto:mthomas@colgateenergy.com)

---

E-mail Address

## 18 SURVEYOR CERTIFICATION

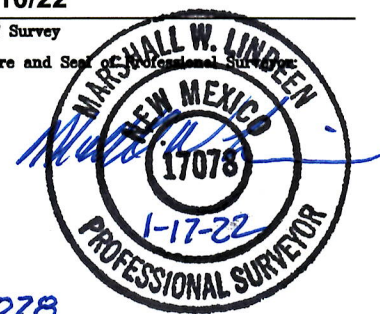
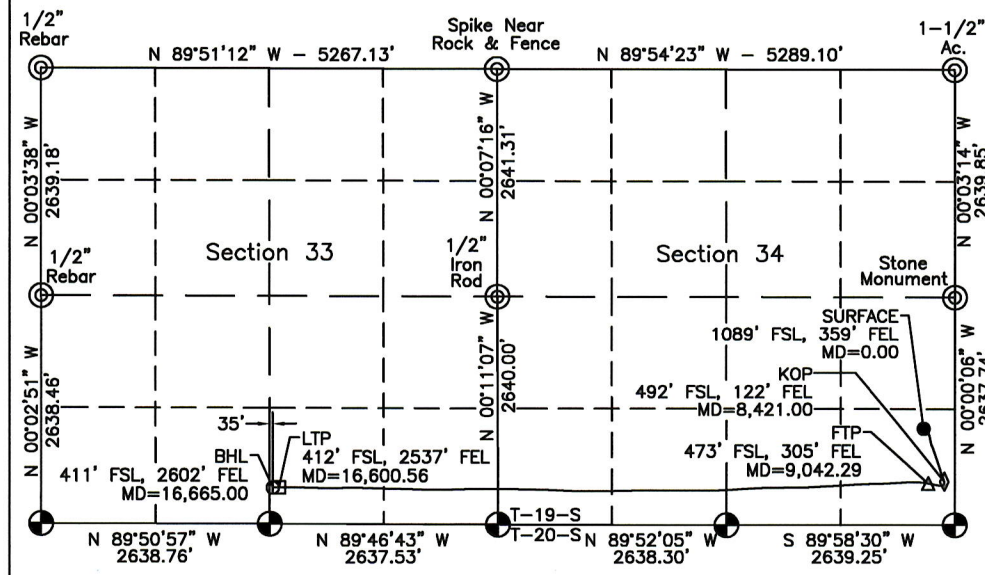
I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

1/10/22

**Date of Survey**

Signature and Seal of Professional Surveyor

**Certificate Number**





DISTRICT I  
1825 N. French Dr., Hobbs, N.M. 88240  
Phone: (575) 393-6161 Fax: (575) 393-0720

DISTRICT II  
811 S. First St., Artesia, N.M. 88210  
Phone: (575) 748-1283 Fax: (575) 748-9720

DISTRICT III  
1000 Rio Brazos Rd., Aztec, N.M. 87410  
Phone: (505) 334-6178 Fax: (505) 334-6170

DISTRICT IV  
1220 S. St. Francis Dr., Santa Fe, N.M. 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico  
Energy, Minerals & Natural Resources Department

OIL CONSERVATION DIVISION

1220 South St. Francis Dr.  
Santa Fe, N.M. 87505

Form C-102

Revised August 1, 2011

Submit one copy to appropriate  
District Office

AS-DRILLED

☐ AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

<sup>1</sup> API Number <b>30-015-47822</b>	<sup>2</sup> Pool Code <b>49622</b>	<sup>3</sup> Pool Name <b>PARKWAY; BONE SPRING</b>
<sup>4</sup> Property Code <b>329892</b>	<sup>5</sup> Property Name <b>Black Diamond 34 Fed</b>	<sup>6</sup> Well Number <b>131H</b>
<sup>7</sup> OGRIID No. <b>371449</b>	<sup>8</sup> Operator Name <b>Colgate Operating, LLC</b>	<sup>9</sup> Elevation <b>3314</b>

<sup>10</sup> Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
<b>A</b>	<b>34</b>	<b>19 S</b>	<b>29 E</b>		<b>1290</b>	<b>North</b>	<b>301</b>	<b>East</b>	<b>Eddy</b>

<sup>11</sup> Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
<b>B</b>	<b>33</b>	<b>19 S</b>	<b>29 E</b>		<b>926</b>	<b>North</b>	<b>2577</b>	<b>East</b>	<b>Eddy</b>

<sup>12</sup> Dedicated Acres <b>240</b>	<sup>13</sup> Joint or Infill	<sup>14</sup> Consolidation Code	<sup>15</sup> Order No.
---	-------------------------------	----------------------------------	-------------------------

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED  
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

16

Legend:

- = Surface Location
- = Bottom Hole Location
- △ = First Take Point (FTP)
- = Last Take Point (LTP)
- ⊙ = Found 1916 USGLO Brass Cap
- ⊙ = Found Monument

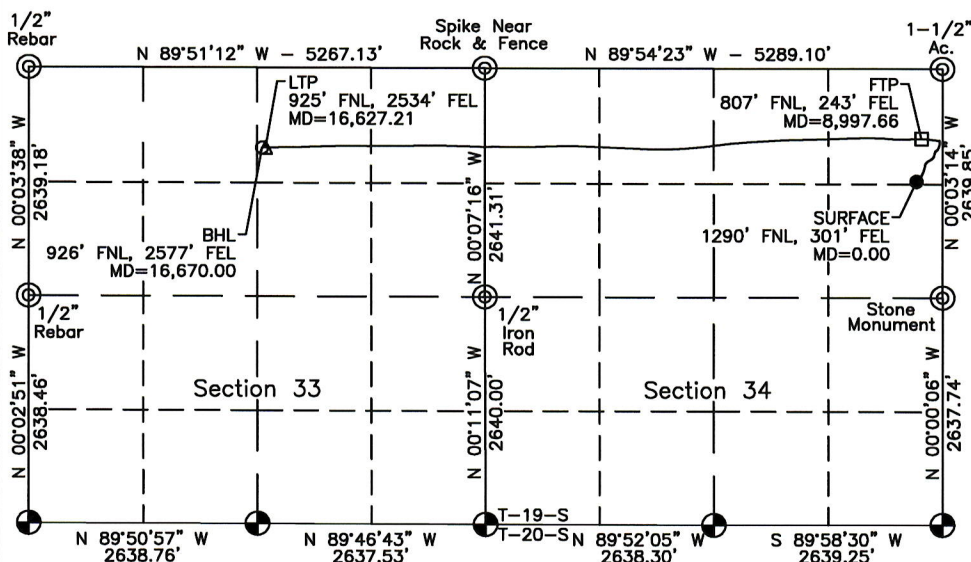
NOTE:  
DOWNHOLE INFORMATION TAKEN FROM A  
REPORT FURNISHED BY COLGATE ENERGY  
DATED 10-25-21

SURFACE LOCATION  
NAD 83 NMSPC ZONE 3001  
Y= 589715.76 N  
X= 626996.28 E  
LAT.= 32.6208709° N  
LONG.= 104.0551134° W

BOTTOM HOLE LOCATION  
NAD 83 NMSPC ZONE 3001  
Y= 590094.17 N  
X= 619431.67 E  
LAT.= 32.6219631° N  
LONG.= 104.0796801° W

LAST TAKE POINT  
NAD 83 NMSPC ZONE 3001  
Y= 590095.26 N  
X= 619474.40 E  
LAT.= 32.6219658° N  
LONG.= 104.0795413° W

FIRST TAKE POINT  
NAD 83 NMSPC ZONE 3001  
Y= 590197.99 N  
X= 627053.45 E  
LAT.= 32.6221960° N  
LONG.= 104.0549236° W



<sup>17</sup> OPERATOR CERTIFICATION

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

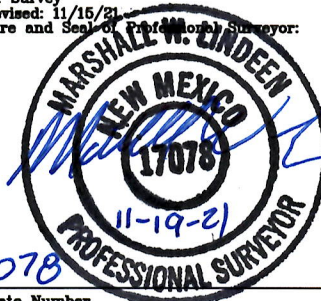
*Mikah Thomas* 12/03/2021  
Signature Date  
Mikah Thomas  
Printed Name  
mthomas@colgateenergy.com  
E-mail Address

<sup>18</sup> SURVEYOR CERTIFICATION

I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

3/27/21

Date of Survey  
Plat Revised: 11/15/21  
Signature and Seal of Professional Surveyor:



Certificate Number



**DISTRICT I**  
1825 N. French Dr., Hobbs, N.M. 88240  
Phone: (575) 393-6161 Fax: (575) 393-0720

State of New Mexico  
Energy, Minerals & Natural Resources Department

Form C-102

Revised August 1, 2011

**DISTRICT II**  
811 S. First St., Artesia, N.M. 88210  
Phone: (575) 748-1283 Fax: (575) 748-9720

## OIL CONSERVATION DIVISION

Submit one copy to appropriate

**DISTRICT III**  
1000 Rio Brazos Rd., Aztec, N.M. 87410  
Phone: (505) 334-6178 Fax: (505) 334-6170

1220 South St. Francis Dr.  
Santa Fe, N.M. 87505

District Office

**DISTRICT IV**  
1220 S. St. Francis Dr., Santa Fe, N.M. 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462

AS-DRILLED

☐ AMENDED REPORT

## WELL LOCATION AND ACREAGE DEDICATION PLAT

<sup>1</sup> API Number <b>30-015-47824</b>	<sup>2</sup> Pool Code <b>49622</b>	<sup>3</sup> Pool Name <b>PARKWAY; BONE SPRING</b>
<sup>4</sup> Property Code <b>329892</b>	<sup>5</sup> Property Name <b>Black Diamond 34 Fed</b>	<sup>6</sup> Well Number <b>133H</b>
<sup>7</sup> OGRD No. <b>371449</b>	<sup>8</sup> Operator Name <b>Colgate Operating, LLC</b>	<sup>9</sup> Elevation <b>3330</b>

<sup>10</sup> Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
<b>P</b>	<b>34</b>	<b>19 S</b>	<b>29 E</b>		<b>1135</b>	<b>South</b>	<b>359</b>	<b>East</b>	<b>Eddy</b>

<sup>11</sup> Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
<b>J</b>	<b>33</b>	<b>19 S</b>	<b>29 E</b>		<b>1707</b>	<b>South</b>	<b>2601</b>	<b>East</b>	<b>Eddy</b>

<sup>12</sup> Dedicated Acres <b>240</b>	<sup>13</sup> Joint or Infill	<sup>14</sup> Consolidation Code	<sup>15</sup> Order No.
---	-------------------------------	----------------------------------	-------------------------

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED  
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

16

## Legend:

- = Surface Location
- ◇ = Kick Off Point (KOP)
- = Bottom Hole Location
- △ = First Take Point (FTP)
- = Last Take Point (LTP)
- ⊕ = Found 1916 USGLO Brass Cap
- ⊙ = Found Monument

NOTE:  
DOWNHOLE INFORMATION TAKEN  
FROM A REPORT FURNISHED  
BY COLGATE ENERGY, DATED 12-23-21

**SURFACE LOCATION**  
NAD 83 NMSPC ZONE 3001  
Y= 586862.09 N  
X= 626938.85 E  
LAT.= 32.6130274° N  
LONG.= 104.0553242° W

**KICK OFF POINT**  
NAD 83 NMSPC ZONE 3001  
Y= 587383.39 N  
X= 627236.62 E  
LAT.= 32.6144582° N  
LONG.= 104.0543527° W

**FIRST TAKE POINT**  
NAD 83 NMSPC ZONE 3001  
Y= 587430.98 N  
X= 627010.50 E  
LAT.= 32.6145906° N  
LONG.= 104.0550866° W

**LAST TAKE POINT**  
NAD 83 NMSPC ZONE 3001  
Y= 587450.49 N  
X= 619479.91 E  
LAT.= 32.6146961° N  
LONG.= 104.0795439° W

**BOTTOM HOLE LOCATION**  
NAD 83 NMSPC ZONE 3001  
Y= 587449.27 N  
X= 619414.10 E  
LAT.= 32.6146931° N  
LONG.= 104.0797577° W

## 17 OPERATOR CERTIFICATION

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

*Mikah Thomas* 01.18.2022  
Signature Date  
Mikah Thomas  
Printed Name  
mthomas@colgateenergy.com  
E-mail Address

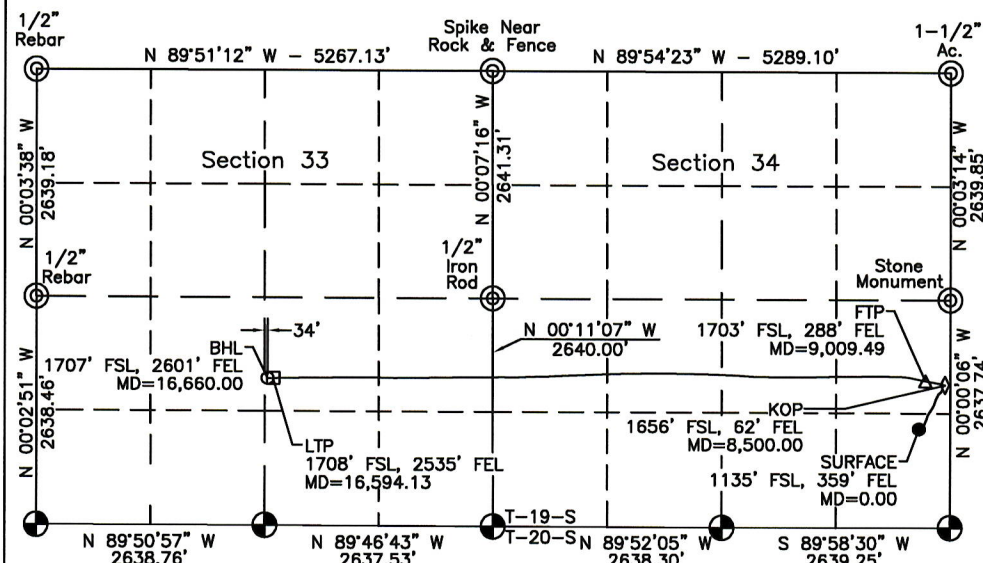
## 18 SURVEYOR CERTIFICATION

I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

1/10/22

Date of Survey

Signature and Seal of Professional Surveyor

17078  
Certificate Number

Revised March 23, 2017

RECEIVED:	REVIEWER:	TYPE:	APP NO:
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ABOVE THIS TABLE FOR OCD DIVISION USE ONLY

**NEW MEXICO OIL CONSERVATION DIVISION**  
 - Geological & 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

**Applicant:** Colgate Operating, LLC **OGRID Number:** 167327  
**Well Name:** Black Diamond 34 Fed 122H **API:** 30-015-47821  
**Pool:** Parkway; Bone Spring **Pool Code:** 49622

**SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED BELOW**

**1) TYPE OF APPLICATION:** Check those which apply for [A]

A. Location – Spacing Unit – Simultaneous Dedication

☐ NSL

☐ NSP (PROJECT AREA)

☐ NSP (PRORATION UNIT)

☐ SD

B. Check one only for [ I ] or [ II ]

[ I ] Commingling – Storage – Measurement

☐ DHC

☒ CTB

☐ PLC

☐ PC

☐ OLS

☐ OLM

[ II ] Injection – Disposal – Pressure Increase – Enhanced Oil Recovery

☐ WFX

☐ PMX

☐ SWD

☐ IPI

☐ EOR

☐ PPR

**2) NOTIFICATION REQUIRED TO:** Check those which apply.

A. ☐ Offset operators or lease holders

B. ☒ Royalty, overriding royalty owners, revenue owners

C. ☐ Application requires published notice

D. ☐ Notification and/or concurrent approval by SLO

E. ☒ Notification and/or concurrent approval by BLM

F. ☐ Surface owner

G. ☒ For all of the above, proof of notification or publication is attached, and/or,

H. ☐ No notice required

**FOR OCD ONLY**

☐ Notice Complete

☐ Application  
Content  
Complete

**3) 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.**

02.14.2022

Date

Mikah Thomas

Print or Type Name

432-695-4272

Phone Number

Signature

mthomas@colgateenergy.com

e-mail Address

**From:** [McClure, Dean, EMNRD](#) on behalf of [Engineer, OCD, EMNRD](#)  
**To:** [Katie Biersmith](#)  
**Cc:** [McClure, Dean, EMNRD](#); [Wrinkle, Justin, EMNRD](#); [Powell, Brandon, EMNRD](#); [Paradis, Kyle O](#); [Walls, Christopher](#)  
**Subject:** Approved Administrative Order CTB-1034  
**Date:** Monday, February 20, 2023 8:24:09 AM  
**Attachments:** [CTB1034 Order.pdf](#)

NMOCD has issued Administrative Order CTB-1034 which authorizes Colgate Operating, LLC (371449) to surface commingle or off-lease measure, as applicable, the following wells:

Well API	Well Name	UL or Q/Q	S-T-R	Pool
30-015-47823	Black Diamond 34 Federal #132H	S/2 NE/4	33-19S-29E	49622
		S/2 N/2	34-19S-29E	
30-015-47821	Black Diamond 34 Federal #122H	S/2 NE/4	33-19S-29E	49622
		S/2 N/2	34-19S-29E	
30-015-47820	Black Diamond 34 Federal #134H	S/2 SE/4	33-19S-29E	49622
		S/2 S/2	34-19S-29E	
30-015-47822	Black Diamond 34 Federal #131H	N/2 NE/4	33-19S-29E	49622
		N/2 N/2	34-19S-29E	
30-015-47824	Black Diamond 34 Federal #133H	N/2 SE/4	33-19S-29E	49622
		N/2 S/2	34-19S-29E	

The administrative order is attached to this email and can also be found online at OCD Imaging.

Please review the content of the order to ensure you are familiar with the authorities granted and any conditions of approval. If you have any questions regarding this matter, please contact me.

Dean McClure  
 Petroleum Engineer, Oil Conservation Division  
 New Mexico Energy, Minerals and Natural Resources Department  
 (505) 469-8211

**From:** [Katie Biersmith](#)  
**To:** [McClure, Dean, EMNRD](#)  
**Subject:** [EXTERNAL] RE: -EXTERNAL- Action ID: 28219  
**Date:** Wednesday, February 8, 2023 4:26:55 PM  
**Attachments:** [image001.png](#)  
[Black Diamond Commingling App Land Review.docx](#)

**CAUTION:** This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hi Dean,

Please find well, ownership, and battery location information attached. Let me know if there is anything we need to change or add.

Thank you so much!

**PERMIAN**  
RESOURCES

Katie Biersmith | Regulatory Lead  
O 720.499.1522 | [katie.biersmith@permianres.com](mailto:katie.biersmith@permianres.com)

---

**From:** McClure, Dean, EMNRD <Dean.McClure@emnrd.nm.gov>  
**Sent:** Monday, January 30, 2023 10:50 AM  
**To:** Katie Biersmith <Katie.Biersmith@permianres.com>  
**Subject:** -EXTERNAL- Action ID: 28219

**WARNING:** The sender of this email could not be validated and may not match the person in the "From" field.

To whom it may concern (c/o Katie Biersmith for Colgate Operating, LLC),

The Division is reviewing the following application:

<b>Action ID</b>	28219
<b>Admin No.</b>	CTB-1034
<b>Applicant</b>	Colgate Operating, LLC (371449)
<b>Title</b>	Black Diamond Battery
<b>Sub. Date</b>	03/24/2022

Please provide the following additional supplemental documents:

- A list of the wells included in the application
  - The list should include the wells' name, number, and API number.

Please provide additional information regarding the following:

- The location of the central tank battery and gas sales meter
  - Quarter-quarter Section, Township, Range
- A description of each subset of ownership
  - All the wells seem to produce from NMNM 105318785 (NMNM 090807), but presumably there is different ownership of the tracts within the lease. For instance,

perhaps the E/2 of Section 33 has one set of ownership which differs from the set of ownership in Section 34.

Additional notes:

- For applications in the future, please provide a lease map depicting the leases.

All additional supplemental documents and information may be provided via email and should be done by replying to this email. The produced email chain will be uploaded to the file for this application.

Please note that failure to take steps to address each of the requests made in this email within 10 business days of receipt of this email may result in the Division rejecting the application requiring the submittal of a new application by the applicant once it is prepared to address each of the topics raised.

Dean McClure  
Petroleum Engineer, Oil Conservation Division  
New Mexico Energy, Minerals and Natural Resources Department  
(505) 469-8211

**CAUTION:** This email originated from outside of the organization. If it appears to be internal, check directly with assumed source



**From:** [Engineer, OCD, EMNRD](#)  
**To:** [Scott Morgan](#); [Engineer, OCD, EMNRD](#); [Mikah Thomas](#)  
**Cc:** [Paralegal](#)  
**Subject:** RE: [EXTERNAL] FW: Colgate's Black Diamond 34 Fed Well Nos. 122H, 131H, 132H, 133H, and 134H  
**Date:** Thursday, March 31, 2022 9:47:10 AM  
**Attachments:** [20220331094203426.pdf](#)

---

The application referenced below and by the attached letter will now be placed back into review.

Dean McClure  
Petroleum Engineer, Oil Conservation Division  
New Mexico Energy, Minerals and Natural Resources Department  
(505) 469-8211

---

**From:** Scott Morgan <[smorgan@cilawnm.com](mailto:smorgan@cilawnm.com)>  
**Sent:** Thursday, March 31, 2022 9:34 AM  
**To:** Engineer, OCD, EMNRD <[OCD.Engineer@state.nm.us](mailto:OCD.Engineer@state.nm.us)>; Mikah Thomas <[MThomas@colgateenergy.com](mailto:MThomas@colgateenergy.com)>  
**Cc:** Paralegal <[paralegal@cilawnm.com](mailto:paralegal@cilawnm.com)>; McClure, Dean, EMNRD <[Dean.McClure@state.nm.us](mailto:Dean.McClure@state.nm.us)>  
**Subject:** RE: [EXTERNAL] FW: Colgate's Black Diamond 34 Fed Well Nos. 122H, 131H, 132H, 133H, and 134H

Good morning, all.

Please see the attached.

Our firm objected to administrative approval for surface commingling of the referenced wells.

On behalf of our clients, we are withdrawing our objection to administrative approval of surface commingling of the referenced wells.

Please let us know if you have any questions.

Thanks,  
Scott

Scott S. Morgan  
Cavin & Ingram, P.A.  
P. O. Box 1216  
Albuquerque, NM 87103  
Ph: 505-243-5400  
[smorgan@cilawnm.com](mailto:smorgan@cilawnm.com)  
[www.cilawnm.com](http://www.cilawnm.com)

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please do not read it and immediately notify us. The disclosure, copying, distribution, reliance or other such action of this communication or related thereto is strictly prohibited.

---

**From:** Engineer, OCD, EMNRD <[OCD.Engineer@state.nm.us](mailto:OCD.Engineer@state.nm.us)>  
**Sent:** Friday, March 25, 2022 2:28 PM  
**To:** Engineer, OCD, EMNRD <[OCD.Engineer@state.nm.us](mailto:OCD.Engineer@state.nm.us)>; Mikah Thomas <[MThomas@colgateenergy.com](mailto:MThomas@colgateenergy.com)>  
**Cc:** Scott Morgan <[smorgan@cilawnm.com](mailto:smorgan@cilawnm.com)>; Paralegal <[paralegal@cilawnm.com](mailto:paralegal@cilawnm.com)>  
**Subject:** RE: [EXTERNAL] FW: Colgate's Black Diamond 34 Fed Well Nos. 122H, 131H, 132H, 133H, and 134H

Please be advised that the Division has now received the application referenced below and within the attached protest letter. It is now placed on hold until the matter is resolved by either the protester withdrawing their protest or a public hearing.

This application has been designated with action ID: 28219 and can be found at [OCD Permitting \(nm.gov\)](https://www.oecd.nm.gov)

Dean McClure  
Petroleum Engineer, Oil Conservation Division  
New Mexico Energy, Minerals and Natural Resources Department  
(505) 469-8211

---

**From:** Engineer, OCD, EMNRD <[OCD.Engineer@state.nm.us](mailto:OCD.Engineer@state.nm.us)>  
**Sent:** Thursday, March 24, 2022 1:56 PM  
**To:** Mikah Thomas <[MThomas@colgateenergy.com](mailto:MThomas@colgateenergy.com)>  
**Cc:** Engineer, OCD, EMNRD <[OCD.Engineer@state.nm.us](mailto:OCD.Engineer@state.nm.us)>; Scott Morgan <[smorgan@cilawnm.com](mailto:smorgan@cilawnm.com)>; [paralegal@cilawnm.com](mailto:paralegal@cilawnm.com)  
**Subject:** FW: [EXTERNAL] FW: Colgate's Black Diamond 34 Fed Well Nos. 122H, 131H, 132H, 133H, and 134H

Ms. Thomas,

The Division has received a letter of protest regarding a surface commingling application that includes the wells referenced in the subject line of this email.

The Division has not yet received this surface commingling application, but once it is received it will be placed on hold until the matter is resolved by either the protester withdrawing their protest or a public hearing.

Please see the attached letter and the emails below for contact information for the protester's attorney.

Dean McClure  
Petroleum Engineer, Oil Conservation Division

New Mexico Energy, Minerals and Natural Resources Department  
(505) 469-8211

---

**From:** Scott Morgan <[smorgan@cilawnm.com](mailto:smorgan@cilawnm.com)>  
**Sent:** Thursday, March 24, 2022 11:57 AM  
**To:** McClure, Dean, EMNRD <[Dean.McClure@state.nm.us](mailto:Dean.McClure@state.nm.us)>  
**Subject:** [EXTERNAL] FW: Colgate's Black Diamond 34 Fed Well Nos. 122H, 131H, 132H, 133H, and 134H

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Good morning, Dean.

I wanted to follow up on this to ensure that it was received and to see when the application would be set for hearing.

Thanks,  
Scott

Scott S. Morgan  
Cavin & Ingram, P.A.  
P. O. Box 1216  
Albuquerque, NM 87103  
Ph: 505-243-5400  
[smorgan@cilawnm.com](mailto:smorgan@cilawnm.com)  
[www.cilawnm.com](http://www.cilawnm.com)

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**From:** Paralegal <[paralegal@cilawnm.com](mailto:paralegal@cilawnm.com)>  
**Sent:** Friday, March 11, 2022 11:37 AM  
**To:** [OCD.Engineer@state.nm.us](mailto:OCD.Engineer@state.nm.us)  
**Cc:** [Dean.McClure@state.nm.us](mailto:Dean.McClure@state.nm.us); [mthomas@colgateenergy.com](mailto:mthomas@colgateenergy.com); Scott Morgan <[smorgan@cilawnm.com](mailto:smorgan@cilawnm.com)>  
**Subject:** Colgate's Black Diamond 34 Fed Well Nos. 122H, 131H, 132H, 133H, and 134H

Please find attached correspondence from Scott Morgan. Please let me know if you require a hard copy via fax or U.S. Mail.

Carol Casstevens, Paralegal



Cavin & Ingram, P.A.

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**APPLICATION FOR SURFACE LEASE COMMINGLING**

Colgate Operating, LLC respectfully requests approval to surface lease commingle oil and gas from the following wells:

	API	WELL NAME	WELL #	LOCATION	POOL CODE/ NAME	STATUS
1	30-015-47821	Black Diamond 34 Fed	122H	H-34-19S-29E	[49622] PARKWAY; BONE SPRING	Producing
2	30-015-47822	Black Diamond 34 Fed	131H	A-34-19S-29E	[49622] PARKWAY; BONE SPRING	Producing
3	30-015-47823	Black Diamond 34 Fed	132H	H-34-19S-29E	[49622] PARKWAY; BONE SPRING	Producing
4	30-015-47824	Black Diamond 34 Fed	133H	P-34-19S-29E	[29622] PARKWAY; BONE SPRING	Producing
5	30-015-47820	Black Diamond 34 Fed	134H	P-34-19S-29E	[49622] PARKWAY; BONE SPRING	Producing

**Federal Lease Number: NMNM-090807**

**GENERAL INFORMATION:**

- Federal Lease NMNM-090807 covers 1,120 acres, E/2, SE/4NE/4, E/2SW/4 Section 33, All of Section 34, and SW/4SW/4 Section 35, T19S-R29E, Eddy County, New Mexico and has a base lease royalty of 12.5%.
- The NE/4NE/4 and NW/4NW/4 of Section 34, T19S-R29E, Eddy County, New Mexico leasehold is held by multiple owners.
- The NE/4NW/4 and NW/4NE/4 of Section 34, T19S-R29E, Eddy County, New Mexico leasehold is held by multiple owners.
- The SE/4NW/4, SW/4NE/4 and SE/4NE/4 of Section 34, T19S-R29E, Eddy County, New Mexico leasehold is held by multiple owners.
- The S/2S/2, NW/4SW/4 and NE/4SE/4 of Section 34, T19S-R29E, Eddy County, New Mexico leasehold is held by a single owner.
- The NE/4SW/4 of Section 34, T19S-R29E, Eddy County, New Mexico leasehold is held by multiple owners.
- The NE/4SE/4 of Section 34, T19S-R29E, Eddy County, New Mexico leasehold is held by multiple owners.
- The E/2, SW/4NW/4 of Section 33, T19S-R29E, Eddy County, New Mexico leasehold is held by two owners.
- Federal Communitization agreement was not required as the wells traverse a single federal lease, namely NMNM-090807.
- Colgate Operating, LLC, Hanson Operating Co., Babe Development, LLC, Sumac Investments, LLC, Penroc Oil Corporation, Borica Oil, Inc, Robert L. & Patricia J. Dale, Drusilla C. Cieszinski, Trustee of the Cieszinski Trust u/t/a 5/17/07, Alpha Energy Partners, LLC, Charles Jay Kinsolving, Ashley Crow, Timothy Jennings, L. Neil & Marilyn Burcham, Norton LLC, Jose E. Rodriguez, Byron Bachschmid, Patrick & Alice Morello Trust, 3SD Interests, LLC, DeVargas Street, LLC, Francis G. Tracy, are the working interest owners in the Black Diamond 34 Fed 131H, Black Diamond 34 Fed 122H, Black Diamond 34 Fed 132H, the owner of the royalty is the Bureau of Land Management (BLM) and various overriding royalty interest owners.
- Colgate Operating, LLC, Hanson Operating Co., Babe Development, LLC, Sumac Investments, LLC, Penroc Oil Corporation, Borica Oil, Inc, Robert L. & Patricia J. Dale, Drusilla C. Cieszinski,

Trustee of the Cieszinski Trust u/t/a 5/17/07, **Jonathan M. Cieszinski**, Alpha Energy Partners, LLC, Charles Jay Kinsolving, Ashley Crow, Timothy Jennings, L. Neil & Marilyn Burcham, Norton LLC, Jose E. Rodriguez, Byron Bachschmid, Patrick & Alice Morello Trust, 3SD Interests, LLC, DeVargas Street, LLC, Francis G. Tracy, are the working interest owners in the Black Diamond 34 Fed 133H, the owner of the royalty is the Bureau of Land Management (BLM) and various overriding royalty interest owners.

- Colgate Operating, LLC, Hanson Operating Co., Babe Development, LLC, Sumac Investments, LLC, Penroc Oil Corporation, Borica Oil, Inc, Robert L. & Patricia J. Dale, Drusilla C. Cieszinski, Trustee of the Cieszinski Trust u/t/a 5/17/07, Alpha Energy Partners, LLC, Charles Jay Kinsolving, Ashley Crow, Timothy Jennings, L. Neil & Marilyn Burcham, Norton LLC, Jose E. Rodriguez, Byron Bachschmid, Patrick & Alice Morello Trust, 3SD Interests, LLC, DeVargas Street, LLC, Francis G. Tracy, are the working interest owners in the Black Diamond 34 Fed 134H. **Although these owners mirror those reflected in the 122H, 131H and 132H above, the proportionate working interests differ across this spacing unit.** The owner of the royalty is the Bureau of Land Management (BLM) and various overriding royalty interest owners, also in differing proportions to those found in the 122H, 131H and 132H.
- Ownership percentages in the wells are not identical and notices to all owners have been mailed out. Some fee owners are unlocatable so publish notification was also completed.
- The central tank battery to service the subject wells is located on-lease, in the NESE of Section 34-19S-29E.
- There is no new surface disturbance included as part of the proposed CAA.
- This application will fall under 43 CFR 3173.14(a)(1) i: The proposed commingling includes production from more than one Federal unit PA or CA where lease, unit PA, or CA proposed for commingling has 100 percent Federal mineral interest, the same fixed royalty rate and, and the same revenue distribution.
- All leases, unit PAs, or CAs in the proposed CAA are capable of production in paying quantities.
- All meters will meet API Standard 14.3/AGA Report No 3
- Enclosed herewith is 1) a map that displays the leases and the location of the subject wells, 2) a map that displays the location of the proposed CTB, (3) a process flow diagram, (4) allocation methodology and example, (5) the C-102 plat for each of the wells and (6) the serial register page for NMNM-090807.
- The approval of this commingling application will not negatively affect the royalty revenue of the federal government due to the allocation methodology described in the application. The interest owned by the federal government in each of these wells is identical.
- Gas analysis is not required for this application as Colgate is applying for a CAA under 3173.14(a)(1).

SEALY H. CAVIN, JR. †  
STEPHEN D. INGRAM †  
SCOTT S. MORGAN  
BRANDON D. HAJNY\*

**CAVIN & INGRAM, P.A.**  
ATTORNEYS & COUNSELORS AT LAW  
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†Also Admitted in Texas  
\*Also Admitted in Colorado

March 11, 2022

New Mexico Oil Conservation Division  
Engineering Bureau  
Mr. Brandon Powell, Engineering Bureau Chief  
*OCD.Engineer@state.nm.us*  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

**Re: *Objection to the Application for Surface Commingling (Diverse Ownership) for Colgate's Black Diamond 34 Fed Well Nos. 122H, 131H, 132H, 133H, and 134H***

Mr. Powell,

Our firm represents Mr. Byron Bachschmid and Mr. Jose E. Rodriguez, in connection with the above-captioned Application for Surface Commingling (Diverse Ownership) filed by Colgate Operating, LLC (the "Application"). Our clients are Affected Party as a non-operating working interest owners in the above-reference wells.

As allowed by NMAC 19.15.12.10.C., Mr. Bachschmid and Mr. Rodriguez hereby file their written objection to the administrative approval of the Application and request that the director set the application for a hearing as allowed by 19.15.12.10 NMAC. Although Mr. Bachschmid received notice of the Application, Mr. Rodriguez has not yet received notice of the Application from Colgate Operating, LLC. Mr. Bachschmid and Mr. Rodriguez need additional time to review the Application and appurtenant information to determine how their rights will be affected.

Pursuant to the applicable NMAC provisions, Mr. Bachschmid and Mr. Rodriguez request that this matter be set for a full hearing with sufficient time to analyze the Application submitted by Colgate Operating, LLC as well as any appurtenant technical and other data.

Please let me know if you have any questions or concerns.

Sincerely,

CAVIN & INGRAM, P.A.

  
Scott S. Morgan

NMOCD Engineering Bureau  
March 11, 2022  
Page 2

Attorneys for Byron Bachschmid and Jose E.  
Rodriguez

cc. Dean McClure  
*via e-mail to Dean.McClure@state.nm.us*

Mikah Thomas  
*via email to mthomas@colgateenergy.com*

SEALY H. CAVIN, JR. †  
STEPHEN D. INGRAM †  
SCOTT S. MORGAN  
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†Also Admitted in Texas  
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March 31, 2022

New Mexico Oil Conservation Division  
Engineering Bureau  
Mr. Brandon Powell, Engineering Bureau Chief  
*OCD.Engineer@state.nm.us*  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

**Re: *Withdrawal of Objection to the Application for Surface Commingling (Diverse Ownership) for Colgate's Black Diamond 34 Fed Well Nos. 122H, 131H, 132H, 133H, and 134H***

Mr. Powell,

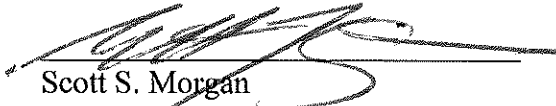
Our firm represents Mr. Byron Bachschmid and Mr. Jose E. Rodriguez, in connection with the above-captioned Application for Surface Commingling (Diverse Ownership) filed by Colgate Operating, LLC (the "Application").

We previously provided an objection to the Application on March 11, 2022. We are now withdrawing that objection.

Please let me know if you have any questions or concerns.

Sincerely,

CAVIN & INGRAM, P.A.

  
Scott S. Morgan  
Attorneys for Byron Bachschmid and Jose E.  
Rodriguez

cc. Dean McClure  
*vai e-mail to Dean.McClure@state.nm.us*

Mikah Thomas  
*via email to mthomas@colgateenergy.com*

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

**APPLICATION FOR SURFACE COMMINGLING  
SUBMITTED BY COLGATE OPERATING, LLC**

**ORDER NO. CTB-1034**

**ORDER**

The Director of the New Mexico Oil Conservation Division (“OCD”), having considered the application and the recommendation of the OCD Engineering Bureau, issues the following Order.

**FINDINGS OF FACT**

1. Colgate Operating, LLC (“Applicant”) submitted a complete application to surface commingle the oil and gas production from the pools, leases, and wells identified in Exhibit A (“Application”).
2. Applicant proposed a method to allocate the oil and gas production to the pools, leases, and wells to be commingled.
3. To the extent that ownership is identical, Applicant submitted a certification by a licensed attorney or qualified petroleum landman that the ownership in the pools, leases, and wells to be commingled is identical as defined in 19.15.12.7.B. NMAC.
4. To the extent that ownership is diverse, Applicant provided notice of the Application to all persons owning an interest in the oil and gas production to be commingled, including the owners of royalty and overriding royalty interests, regardless of whether they have a right or option to take their interests in kind, and those persons either submitted a written waiver or did not file an objection to the Application.
5. Applicant provided notice of the Application to the Bureau of Land Management (“BLM”) or New Mexico State Land Office (“NMSLO”), as applicable.

**CONCLUSIONS OF LAW**

6. OCD has jurisdiction to issue this Order pursuant to the Oil and Gas Act, NMSA 1978, §§ 70-2-6, 70-2-11, 70-2-12, 70-2-16, and 70-2-17, 19.15.12. NMAC, and 19.15.23. NMAC.
7. Applicant satisfied the notice requirements for the Application in accordance with 19.15.12.10.A.(2) NMAC, 19.15.12.10.C.(4)(c) NMAC, and 19.15.12.10.C.(4)(e) NMAC, as applicable.
8. Applicant satisfied the notice requirements for the Application in accordance with 19.15.23.9.A.(5) NMAC and 19.15.23.9.A.(6) NMAC, as applicable.
9. Applicant’s proposed method of allocation, as modified herein, complies with 19.15.12.10.B.(1) NMAC or 19.15.12.10.C.(1) NMAC, as applicable.

10. Commingling of oil and gas production from state, federal, or tribal leases shall not commence until approved by the BLM or NMSLO, as applicable, in accordance with 19.15.12.10.B.(3) NMAC and 19.15.12.10.C.(4)(h) NMAC.
11. By granting the Application with the conditions specified below, this Order prevents waste and protects correlative rights, public health, and the environment.

### **ORDER**

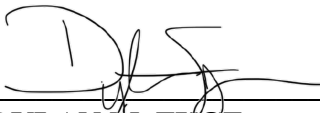
1. Applicant is authorized to surface commingle oil and gas production from the pools, leases, and wells identified in Exhibit A.

Applicant is authorized to store and measure oil and gas production off-lease from the pools, leases, and wells identified in Exhibit A at a central tank battery or gas title transfer meter described in Exhibit A.

2. The oil and gas production for each well identified in Exhibit A shall be separated and metered prior to commingling it with production from another well.
3. Applicant shall measure and market the commingled oil at a central tank battery described in Exhibit A in accordance with this Order and 19.15.18.15. NMAC or 19.15.23.8. NMAC.
4. Applicant shall measure and market the commingled gas at a well pad, central delivery point, central tank battery, or gas title transfer meter described in Exhibit A in accordance with this Order and 19.15.19.9. NMAC, provided however that if the gas is vented or flared, and regardless of the reason or authorization pursuant to 19.15.28.8.B. NMAC for such venting or flaring, Applicant shall measure or estimate the gas in accordance with 19.15.28.8.E. NMAC.
5. Applicant shall calibrate the meters used to measure or allocate oil and gas production in accordance with 19.15.12.10.C.(2) NMAC.
6. If the commingling of oil and gas production from any pool, lease, or well reduces the value of the commingled oil and gas production to less than if it had remained segregated, no later than sixty (60) days after the decrease in value has occurred Applicant shall submit a new surface commingling application to OCD to amend this Order to remove the pool, lease, or well whose oil and gas production caused the decrease in value. If Applicant fails to submit a new application, this Order shall terminate on the following day, and if OCD denies the application, this Order shall terminate on the date of such action.
7. Applicant shall not commence commingling oil or gas production from state, federal, or tribal leases until approved by the BLM or NMSLO, as applicable.
8. If OCD determines that Applicant has failed to comply with any provision of this Order, OCD may take any action authorized by the Oil and Gas Act or the New Mexico Administrative Code (NMAC).
9. OCD retains jurisdiction of this matter and reserves the right to modify or revoke this Order as it deems necessary.



**STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION**

A handwritten signature in black ink, appearing to read 'D. Fuge', is written over a horizontal line.

**DYLAN M. FUGE  
DIRECTOR (ACTING)**

**DATE:** 2/19/2023

State of New Mexico  
Energy, Minerals and Natural Resources Department

## Exhibit A

Order: **CTB-1034**

Operator: **Colgate Operating, LLC (371449)**

Central Tank Battery: **Black Diamond Battery**

Central Tank Battery Location: **UL I, Section 34, Township 19 South, Range 29 East**

Gas Title Transfer Meter Location: **UL I, Section 34, Township 19 South, Range 29 East**

### Pools

Pool Name	Pool Code
<b>PARKWAY; BONE SPRING</b>	<b>49622</b>

### Leases as defined in 19.15.12.7(C) NMAC

Lease	UL or Q/Q	S-T-R
NMNM 105318785 (090807) subset A	N/2 NE/4	33-19S-29E
	N/2 N/2	34-19S-29E
NMNM 105318785 (090807) subset B	S/2 NE/4	33-19S-29E
	S/2 N/2	34-19S-29E
NMNM 105318785 (090807) subset C	N/2 SE/4	33-19S-29E
	N/2 S/2	34-19S-29E
NMNM 105318785 (090807) subset D	S/2 SE/4	33-19S-29E
	S/2 S/2	34-19S-29E

### Wells

Well API	Well Name	UL or Q/Q	S-T-R	Pool
30-015-47823	Black Diamond 34 Federal #132H	S/2 NE/4	33-19S-29E	49622
		S/2 N/2	34-19S-29E	
30-015-47821	Black Diamond 34 Federal #122H	S/2 NE/4	33-19S-29E	49622
		S/2 N/2	34-19S-29E	
30-015-47820	Black Diamond 34 Federal #134H	S/2 SE/4	33-19S-29E	49622
		S/2 S/2	34-19S-29E	
30-015-47822	Black Diamond 34 Federal #131H	N/2 NE/4	33-19S-29E	49622
		N/2 N/2	34-19S-29E	
30-015-47824	Black Diamond 34 Federal #133H	N/2 SE/4	33-19S-29E	49622
		N/2 S/2	34-19S-29E	

**District I**  
1625 N. French Dr., Hobbs, NM 88240  
Phone:(575) 393-6161 Fax:(575) 393-0720  
**District II**  
811 S. First St., Artesia, NM 88210  
Phone:(575) 748-1283 Fax:(575) 748-9720  
**District III**  
1000 Rio Brazos Rd., Aztec, NM 87410  
Phone:(505) 334-6178 Fax:(505) 334-6170  
**District IV**  
1220 S. St Francis Dr., Santa Fe, NM 87505  
Phone:(505) 476-3470 Fax:(505) 476-3462

**State of New Mexico**  
**Energy, Minerals and Natural Resources**  
**Oil Conservation Division**  
**1220 S. St Francis Dr.**  
**Santa Fe, NM 87505**

CONDITIONS  
  
Action 28219

CONDITIONS

Operator: COLGATE OPERATING, LLC 300 North Marienfeld Street Midland, TX 79701	OGRID: 371449
	Action Number: 28219
	Action Type: [C-107] Surface Commingle or Off-Lease (C-107B)

CONDITIONS

Created By	Condition	Condition Date
dmcclure	Please review the content of the order to ensure you are familiar with the authorities granted and any conditions of approval. If you have any questions regarding this matter, please contact me.	2/20/2023