

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

**APPLICATION OF ELIZABETH KAY DILLARD
TO REOPEN CASE NO. 21226 (ORDER NO. R-
21354), EDDY COUNTY, NEW MEXICO**

CASE NO. 22323

**COLGATE OPERATING, LLC'S
PRE-HEARING STATEMENT**

Colgate Operating, LLC ("Colgate") submits its Pre-Hearing Statement pursuant to the rules of the Oil Conservation Division ("Division") and the Pre-Hearing Order issued on September 16, 2022.

APPEARANCES

APPLICANT

Elizabeth Kaye Dillard

ATTORNEYS

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INTERESTED PARTIES

Colgate Operating, LLC

ATTORNEYS

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STATEMENT OF THE CASE

Order No. R-21354 (“Order”), which was issued on June 10, 2020 in Case No. 21226, pooled all uncommitted interests in the Bone Spring formation underlying the S/2 of Sections 33 and 34, Township 19 South, Range 38 East, N.M.P.M., Eddy County, New Mexico. The Order further dedicated the unit to the Dawson 34 Fed State Com 123H, 124H, 133H, and 134H wells (“Wells”) and designated Colgate as operator of the Wells. Applicant Elizabeth Kaye Dillard filed her application on October 29, 2021, requesting that the Division reopen Case No. 21226 based on her claim that she did not receive notice of Colgate’s application and therefore did not have an opportunity to participate in the Wells. On August 29, 2022, the Division issued Order No. R-22240, allowing Ms. Dillard to reopen Case No. 21226. Ms. Dillard has now received notice and has agreed that Colgate may proceed to pool her interest under the terms of Order No. 21354-A.

PROPOSED EVIDENCE

Witness	Occupation	Estimated Time	Exhibits
Mark Hajdik	Landman	Affidavit	Approx. 3

PROCEDURAL MATTERS

Ms. Dillard has agreed to Colgate’s presentation of this matter by affidavit.

Respectfully submitted,

HINKLE SHANOR, LLP

/s/ Dana S. Hardy
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CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2022, I caused a true and correct copy of this document to be electronically served on the following:

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/s/ Dana S. Hardy _____
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State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

QUESTIONS

Action 165496

QUESTIONS

Operator: COLGATE OPERATING, LLC 300 North Marienfeld Street Midland, TX 79701	OGRID: 371449
	Action Number: 165496
	Action Type: [HEAR] Prehearing Statement (PREHEARING)

QUESTIONS

Testimony	
<i>Please assist us by provide the following information about your testimony.</i>	
Number of witnesses	Not answered.
Testimony time (in minutes)	Not answered.