

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

**APPLICATION OF BACK NINE PROPERTIES, LLC
FOR COMPULSORY POOLING,
CHAVES COUNTY, NEW MEXICO**

CASE NO. _____

APPLICATION

Pursuant to NMSA 1978 § 70-2-17, Back Nine Properties, LLC (“Applicant”) files this application with the New Mexico Oil Conservation Division seeking an order pooling all uncommitted interests in the Devonian formation in a 40-acre standard spacing unit consisting of the SW/4NW/4 of Section 34, Township 11 South, Range 29 East, NMPM, Chaves County, New Mexico (“Unit”). In support of its application, Applicant states:

1. Applicant is a working interest owner in the Unit and has the right to drill thereon.
2. Applicant proposes to dedicate the Unit to the LE Ranch #1 well (“Well”) which will be vertically drilled with a surface and bottom hole location at approximately 1980’ FNL and 270’ FWL, or a legal location within Unit E, of Section 34, Township 11 South, Range 29 East.
3. The completed interval of the Well will be unorthodox.
4. Applicant has contracted with Tamaroa Operating, LLC (“Tamaroa”) to drill and operate the Well. Accordingly, Applicant requests the Division designate Tamaroa (OGRID No. 382866) as the operator of the Well.
5. Applicant has undertaken diligent, good-faith efforts to obtain voluntary agreements from all mineral interest owners in the proposed Unit to participate in the drilling of the Well but has been unable to obtain voluntary agreements from all of the mineral interest owners.

6. The pooling of the uncommitted mineral interests will avoid the drilling of unnecessary wells, protect correlative rights, and prevent waste.

7. In order to allow Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted mineral interest owners in Unit should be pooled and Tamaroa should be designated the operator of the Well and Unit.

WHEREFORE, Applicant requests this application be set for hearing on August 5, 2021 and that, after notice and hearing, the Division enter an order:

- A. Pooling all uncommitted interests in the Unit;
- B. Approving the Well in the Unit;
- C. Designating Tamaroa as the operator of the Unit and the Well to be drilled thereon;
- D. Authorizing Applicant to recover the costs of drilling, equipping, and completing the Well;
- E. Approving the actual operating charges and costs of supervision during drilling and after completion, together with a provision for adjusting the rates pursuant to the COPAS accounting procedure; and
- F. Imposing a 200% penalty for the risk assumed by Applicant in drilling and completing the Well against any working interest owner who does not voluntarily participate in the drilling of the Well.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy

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