

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

**APPLICATION OF COLGATE OPERATING LLC
TO NUNC PRO TUNC AMEND ORDER NO. R-21494,
EDDY COUNTY, NEW MEXICO**

**CASE NO. 22310
ORDER NO. R-21494
(Re-Open)**

AMENDED APPLICATION

Colgate Operating LLC (“Colgate”), OGRID Number 371449, through its undersigned counsel, files this application with the Oil Conservation Division (“Division”) for the limited purpose of amending Order No. R-21494 (“the Order”) to allow for an extension of time for drilling the well under the Order. Colgate asks that the order extending the time for drilling be entered *nunc pro tunc* effective as of the date this Application was filed. In support of this application, Colgate states as follows:

1. The Division heard Case No. 21465 on October 8, 2020 and entered Order No. R-21494 on October 13, 2020.
2. The Order designated Colgate as the operator of the horizontal spacing unit for the drilling of Colgate’s proposed **Dakota 32 State Fed Com 123H** and **Dakota 32 State Fed Com 133H** wells; and pooled uncommitted interest owners in a 320-acre, more or less, Bone Spring horizontal spacing unit comprised of the N/2 S/2 of Section 32 and N/2 S/2 of Section 31, Township 19 South, Range 28 East, NMPM, Eddy County, New Mexico.
3. Paragraph 19 of the Order states: “The Operator shall commence drilling the Well(s) within one year after the date of this Order and complete each Well no later than one (1) year after the commencement of drilling the Well.” Paragraph 20 of the Order states: “This Order shall terminate automatically if Operator fails to comply with Paragraph 19 unless Operator obtains an extension by an amendment of this Order for good cause shown.”

4. Under the Order, Colgate would be required to commence drilling the well by October 13, 2021.

5. Colgate requests that the Order be re-opened and amended to allow Colgate an additional year to commence drilling the well under the Order.

6. Colgate requests this extension because there have been disruptions in Colgate's drilling schedule due to the COVID-19 pandemic and operational problems encountered by Colgate when drilling another well in its schedule.

7. Good cause exists for Colgate's request for an extension of time.

8. Colgate asks that the deadline to commence drilling the well be extended for a year from October 13, 2021 to October 13, 2022.

9. Because the deadline to commence drilling under Order No. R-21494 is likely to expire before this case can be heard by the Division, Colgate is providing notice to all parties entitled to notice concurrently with the filing of this application and requesting that the order extending the time for drilling be entered *nunc pro tunc* effective as of the date this Application was filed.

WHEREFORE, Colgate requests this application be set for hearing before an Examiner of the Oil Conservation Division on the December 2, 2021 docket, and after notice and hearing as required by law, the Division amend Order No. R-21494 to extend the time for Colgate to commence drilling the well under the Order for a year, through October 13, 2022.

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

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Case No. 22310 (Re-Open) Amended Application of Colgate Operating LLC to Amend Order No. R-21494, Eddy County, New Mexico. Applicant seeks an order from the Oil Conservation Division for the limited purposes of amending Order No. R-21494, *nunc pro tunc*, effective as of the date its application was filed to allow for a one-year extension of time to commence drilling the initial well under the Order. The Division issued Order No. R-21494 on October 13, 2020, which designated Colgate as the operator of the unit and the **Dakota 32 State Fed Com 123H** and **Dakota 32 State Fed Com 133H** wells; and pooled uncommitted interest owners in a 320-acre, more or less, Bone Spring horizontal spacing unit comprised of the N/2 S/2 of Section 32 and N/2 S/2 of Section 31, Township 19 South, Range 28 East, NMPM, Eddy County, New Mexico. Said area is located approximately 19 miles southeast of Artesia, New Mexico.