

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

APPLICATION OF COLGATE OPERATING,
LLC FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO

CASE NO. 22398

EXHIBIT INDEX

Compulsory Pooling Checklist

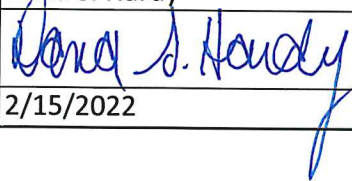
- Exhibit A** **Self-Affirmed Statement of Mark Hajdik**
- A-1 Application & Proposed Notice of Hearing
 - A-2 C-102(s)
 - A-3 Plat of Tracts, Ownership Interests, Pooled Parties, Unit Recapitulation
 - A-4 Sample Well Proposal Letter & AFE(s)
 - A-5 Summary of Communications
 - A-6 Hearing Notice Letter and Return Receipts
 - A-7 Affidavit of Publication

- Exhibit B** **Self-Affirmed Statement of David DaGian**
- B-1 Location Map
 - B-2 Cross Section Location Map
 - B-3 Structure Map
 - B-4 Structure Map
 - B-5 Cross Section
 - B-6 Cross Section
 - B-7 Gunbarrel Schematic

COMPULSORY POOLING APPLICATION CHECKLIST

ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS

| | |
|--|---|
| Case No.: | 22398 |
| Hearing Date: | 3/3/2022 |
| Applicant | Colgate Operating, LLC |
| Designated Operator & OGRID | 371449 |
| Applicant's Counsel | Hinkle Shanor LLP |
| Case Title | Application of Colgate Operating, LLC for Compulsory Pooling, Eddy County, New Mexico |
| Entries of Appearance/Intervenors | Apache Corporation; EOG Resources, Inc.; MRC Permian Company |
| Well Family | Blackhawk |
| Formation/Pool | |
| Formation Name(s) or Vertical Extent | Bone Spring |
| Primary Product (Oil or Gas) | Oil |
| Pooling this vertical extent | Bone Spring |
| Pool Name and Pool Code | Winchester, Bone Spring, West Pool (Pool Code 97569) |
| Well Location Setback Rules | Statewide |
| Spacing Unit Size | 320-acre |
| Spacing Unit | |
| Type (Horizontal/Vertical) | Horizontal |
| Size (Acres) | 320-acre |
| Building Blocks | quarter-quarter |
| Orientation | Laydown |
| Description: TRS/County | N/2N/2 of Sections 16 and 17, Township 19 South, Range 28 East, Eddy County, New Mexico |
| Standard Horizontal Well Spacing Unit (Y/N), If No, describe | Yes |
| Other Situations | |
| Depth Severance: Y/N. If yes, description | No |
| Proximity Tracts: If yes, description | No |
| Proximity Defining Well: if yes, description | N/A |
| Well(s) | |
| Name & API (if assigned), surface and bottom hole location, footages, completion target, orientation, completion status (standard or non-standard) | Add wells as needed |
| Well #1 | Black Cat 16 State Com 121H (API # pending) SHL: 947 FNL & 353 FEL (Unit A) of Section 16, T19S-R28E BHL: 690 FNL & 10 FWL (Unit D) of Section 17, T19S-R28E Completion Target: Bone Spring (Approximately 7450' TVD) Completion status: Standard |
| Well #2 | Black Cat 16 State Com 131H (API # pending) SHL: 976 FNL & 353 FEL (Unit A) of Section 16, T19S-R28E BHL: 860 FNL & 10 FWL (Unit D) of Section 17, T19S-R28E Completion Target: Bone Spring (Approximately 8600' TVD) Completion status: Standard |
| Horizontal Well First and Last Take Points | Exhibit A-2 |
| Completion Target (Formation, TVD and MD) | Exhibit A-4 |
| AFE Capex and Operating Costs | |
| Drilling Supervision/Month \$ | 8,000 |
| Production Supervision/Month \$ | 800 |
| Justification for Supervision Costs | Exhibit A |
| Requested Risk Charge | 200% |
| Notice of Hearing | |
| Proposed Notice of Hearing | Exhibit A-1 |

| | |
|--|--|
| Proof of Mailed Notice of Hearing (20 days before hearing) | Exhibit A-6 |
| Proof of Published Notice of Hearing (10 days before hearing) | Exhibit A-7 |
| Ownership Determination | |
| Land Ownership Schematic of Spacing Unit | Exhibit A-3 |
| Tract List (including lease numbers & owners) | Exhibit A-3 |
| Pooled Parties (including ownership type) | Exhibit A-3 |
| Unlocatable Parties to be Pooled | Exhibit A-3 |
| Ownership Depth Severance | N/A |
| Joinder | |
| Sample Copy of Proposal Letter | Exhibit A-4 |
| List of Interest Owners (ie Exhibit A of JOA) | Exhibit A-3 |
| Chronology of Contact with Non-Joined Working Interests | Exhibit A-5 |
| Overhead Rates In Proposal Letter | Exhibit A-4 |
| Cost Estimate to Drill and Complete | Exhibit A-4 |
| Cost Estimate to Equip Well | Exhibit A-4 |
| Cost Estimate for Production Facilities | Exhibit A-4 |
| Geology | |
| Summary (including special considerations) | Exhibit B |
| Spacing Unit Schematic | Exhibit B-1 |
| Gunbarrel/Lateral Trajectory Schematic | Exhibit B-7 |
| Well Orientation (with rationale) | Exhibit B |
| Target Formation | Exhibit B |
| HSU Cross Section | Exhibits B-5, B-6 |
| Depth Severance Discussion | N/A |
| Forms, Figures and Tables | |
| C-102 | Exhibit A-2 |
| Tracts | Exhibit A-3 |
| Summary of Interests, Unit Recapitulation (Tracts) | Exhibit A-3 |
| General Location Map (including basin) | Exhibit B-1 |
| Well Bore Location Map | Exhibit B-1 |
| Structure Contour Map - Subsea Depth | Exhibits B-3, B-4 |
| Cross Section Location Map (including wells) | Exhibit B-2 |
| Cross Section (including Landing Zone) | Exhibits B-5, B-6 |
| Additional Information | |
| CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate. | |
| Printed Name (Attorney or Party Representative): | Dana S. Hardy |
| Signed Name (Attorney or Party Representative): |  |
| Date: | 2/15/2022 |

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

APPLICATION OF COLGATE OPERATING,
LLC FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO

CASE NO. 22398

SELF-AFFIRMED STATEMENT
OF MARK HAJDIK

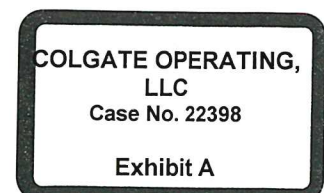
1. I am the land manager at Colgate Operating, LLC (“Colgate”) and am over 18 years of age. I have personal knowledge of the matters addressed herein and am competent to provide this Self-Affirmed Statement. I have previously testified before the New Mexico Oil Conservation Division (“Division”) and my qualifications as an expert in petroleum land matters were accepted and made a matter of record.

2. I am familiar with the land matters involved in the above-referenced case. Copies of the application and proposed hearing notice are attached as **Exhibit A-1**.

3. None of the parties proposed to be pooled in this case indicated opposition to this matter proceeding by affidavit, therefore I do not expect any opposition at hearing.

4. In this case, Colgate seeks an order pooling all uncommitted interests in the Winchester, Bone Spring, West Pool (Pool Code 97569) within the Bone Spring formation underlying a 320-acre, more or less, standard horizontal spacing unit comprised of the N/2N/2 of Sections 16 and 17, Township 19 South, Range 28 East, Eddy County, New Mexico (“Unit”).

5. The Unit will be dedicated to the **Black Cat 16 State Com 121H** and **Black Cat 16 State Com 131H** wells (“Wells”) to be horizontally drilled from a surface hole location in the NE/4NE/4 (Unit A) of Section 16 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 17.



6. The completed intervals of the Wells will be orthodox.

7. **Exhibit A-2** contains the C-102s for the Wells.

8. **Exhibit A-3** contains a plat identifying ownership by tract in the Unit. This exhibit also includes any applicable lease numbers, a unit recapitulation, and the interests Colgate seeks to pool highlighted in yellow.

9. **Exhibit A-4** contains a sample well proposal letter and AFEs sent to working interest owners for the Wells. The estimated costs reflected on the AFEs are fair and reasonable and comparable to the cost of other wells of similar depth and length drilled in the subject formation in the area.

10. Colgate has conducted a diligent search of all county public records including phone directories and computer databases.

11. All interest owners Colgate seeks to pool are locatable.

12. In my opinion, Colgate made a good-faith effort to reach voluntary joinder of uncommitted interests in the Wells as indicated by the chronology of contact described in **Exhibit A-5**.

13. Colgate requests overhead and administrative rates of \$8,000 per month while the Wells are being drilled and \$800 per month while the Wells are producing. These rates are fair and are comparable to the rates charged by Colgate and other operators in the vicinity.

14. Notice of this application and the Division hearing was timely provided to the uncommitted interests by certified mail more than 20 days prior to the hearing date. A sample of the notice letters and associated green cards are attached as **Exhibit A-6**.

15. Notice of this application and the Division hearing was published more than ten business days prior to the hearing date. The affidavit of publication is attached as **Exhibit A-7**.

16. The exhibits attached hereto were either prepared by me or under my supervision or were compiled from company business records.

17. In my opinion, the granting of Colgate's application would serve the interests of conservation, the protection of correlative rights, and the prevention of waste.

18. I understand this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 17 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.



Mark Hajdik

2/12/21

Date

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

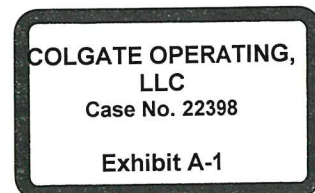
APPLICATION OF COLGATE OPERATING,
LLC FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO

CASE NO. 22398

APPLICATION

Pursuant to NMSA § 70-2-17, Colgate Operating, LLC (OGRID No. 371449) (“Applicant”) applies for an order pooling all uncommitted interests within the Bone Spring formation underlying a 320-acre, more or less, standard horizontal spacing unit comprised of the N/2N/2 of Sections 16 and 17, Township 19 South, Range 28 East, Eddy 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 wells thereon.
2. The Unit will be dedicated to the **Black Cat 16 State Com 121H** and **Black Cat 16 State Com 131H** wells (“Wells”) to be horizontally drilled from a surface hole location in the NE/4NE/4 (Unit A) of Section 16 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 17.
3. The completed intervals of the Wells will be orthodox.
4. Applicant has undertaken diligent, good-faith efforts to obtain voluntary agreements from all interest owners to participate in the drilling of the Wells but has been unable to obtain voluntary agreements from all of the interest owners.
5. The pooling of uncommitted interests will avoid the drilling of unnecessary wells, prevent waste and protect correlative rights.
6. In order to allow Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted mineral interests in the Unit should be pooled and Applicant should be designated the operator of the Wells and Unit.



WHEREFORE, Applicant requests this application be set for hearing on January 6, 2022, and that after notice and hearing, the Division enter an order:

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

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy
 Dana S. Hardy
 Michael Rodriguez
 P.O. Box 2068
 Santa Fe, NM 87504-2068
 Phone: (505) 982-4554
 dhardy@hinklelawfirm.com
 mrodriguez@hinklelawfirm.com
 Counsel for Colgate Operating, LLC

Application of Colgate Operating, LLC for Compulsory Pooling, Eddy County, New Mexico.

Applicant applies for an order pooling all uncommitted interests within the Bone Spring formation underlying a 320-acre, more or less, standard horizontal spacing unit comprised of the N/2N/2 of Sections 16 and 17, Township 19 South, Range 28 East, Eddy County, New Mexico ("Unit"). The Unit will be dedicated to the Black Cat 16 State Com 121H and Black Cat 16 State Com 131H wells ("Wells") to be horizontally drilled from a surface hole location in the NE/4NE/4 (Unit A) of Section 16 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 17. The completed intervals of the Wells will be orthodox. Also, to be considered will be the cost of drilling and completing the Wells and the allocation of the costs, the designation of Applicant as the operator of the Wells, and a 200% charge for the risk involved in drilling and completing the Wells. The Wells are located approximately 18 miles northeast of Carlsbad.

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 Road, Aztec, NM 87410
Phone: (505) 334-6178 Fax: (505) 334-6170
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico
Energy, Minerals & Natural Resources Department
OIL CONSERVATION DIVISION
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-102
Revised August 1, 2011
Submit one copy to appropriate
District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

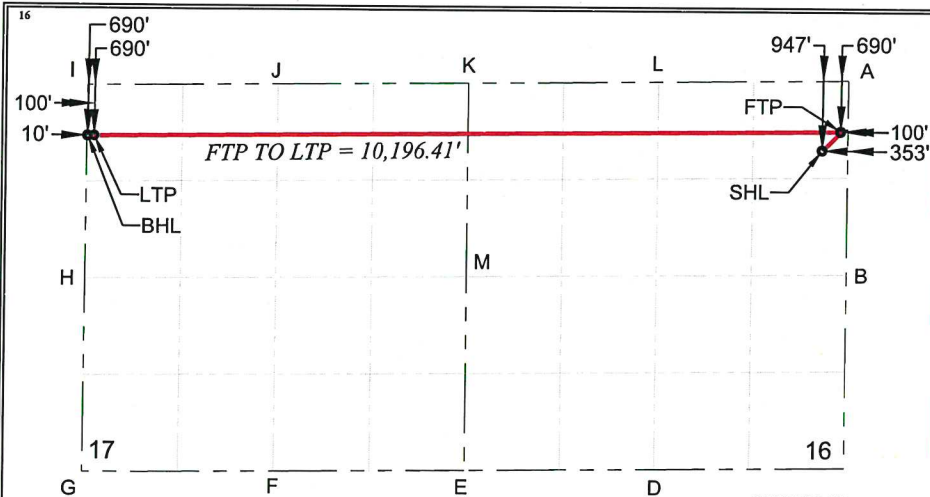
| | | | | | | | |
|-----------------------|--|---|--|-------------|--|-----------------------|--|
| 1 API Number | | 2 Pool Code | | 3 Pool Name | | | |
| 4 Property Code | | 5 Property Name BLACK CAT 16 STATE COM | | | | 6 Well Number 121H | |
| 7 OGRID No. 371449 | | 8 Operator Name COLGATE OPERATING, LLC | | | | 9 Elevation 3525' | |

| 10 Surface Location | | | | | | | | | |
|---------------------|---------|----------|-------|---------|---------------|------------------|---------------|----------------|--------|
| UL or lot no. | Section | Township | Range | Lot Idn | Feet from the | North/South line | Feet from the | East/West line | County |
| A | 16 | 19-S | 28-E | | 947' | NORTH | 353' | EAST | EDDY |

| 11 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 |
| D | 17 | 19-S | 28-E | | 690' | NORTH | 10' | WEST | EDDY |

| | | | |
|--------------------|--------------------|-----------------------|--------------|
| 12 Dedicated Acres | 13 Joint or Infill | 14 Consolidation Code | 15 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.



SURFACE HOLE LOCATION (SHL)
NEW MEXICO EAST - NAD 83
X=590449.75 LAT.= 32.66530529° N
Y=605806.02 LONG.= 104.17373756° W
NEW MEXICO EAST - NAD 27
X=549270.04 LAT.= 32.66518858° N
Y=605743.90 LONG.= -104.17322850° W
947' FNL, 353' FEL - SECTION 16

FIRST TAKE POINT (FTP)
NEW MEXICO EAST - NAD 83
X=590703.67 LAT.= 32.66601894° N
Y=606066.04 LONG.= 104.17291112° W
NEW MEXICO EAST - NAD 27
X=549523.97 LAT.= 32.66590222° N
Y=606003.91 LONG.= -104.17240205° W
690' FNL, 100' FEL - SECTION 16

LAST TAKE POINT (LTP)
NEW MEXICO EAST - NAD 83
X=580507.89 LAT.= 32.66574479° N
Y=605952.48 LONG.= 104.20604409° W
NEW MEXICO EAST - NAD 27
X=539328.18 LAT.= 32.66562841° N
Y=605890.43 LONG.= -104.20553427° W
690' FNL, 100' FWL - SECTION 17

BOTTOM HOLE LOCATION (BHL)
NEW MEXICO EAST - NAD 83
X=580417.89 LAT.= 32.66574256° N
Y=605951.56 LONG.= 104.20633658° W
NEW MEXICO EAST - NAD 27
X=539238.18 LAT.= 32.66562618° N
Y=605889.51 LONG.= -104.20582675° W
690' FNL, 10' FWL - SECTION 17

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 _____

Printed Name _____

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.

Date of Survey _____

Signature and Seal of Professional Surveyor: _____



Certificate Number 12/2/2021

COLGATE OPERATING, LLC
Case No. 22398

Exhibit A-2

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 Road, Aztec, NM 87410
Phone: (505) 334-6178 Fax: (505) 334-6170
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico
Energy, Minerals & Natural Resources Department
OIL CONSERVATION DIVISION
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-102
Revised August 1, 2011
Submit one copy to appropriate
District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

| | | | | | | | |
|-----------------------|--|---|--|-------------|--|-----------------------|--|
| 1 API Number | | 2 Pool Code | | 3 Pool Name | | | |
| 4 Property Code | | 5 Property Name BLACK CAT 16 STATE COM | | | | 6 Well Number 131H | |
| 7 OGRID No. 371449 | | 8 Operator Name COLGATE OPERATING, LLC | | | | 9 Elevation 3525' | |

10 Surface Location

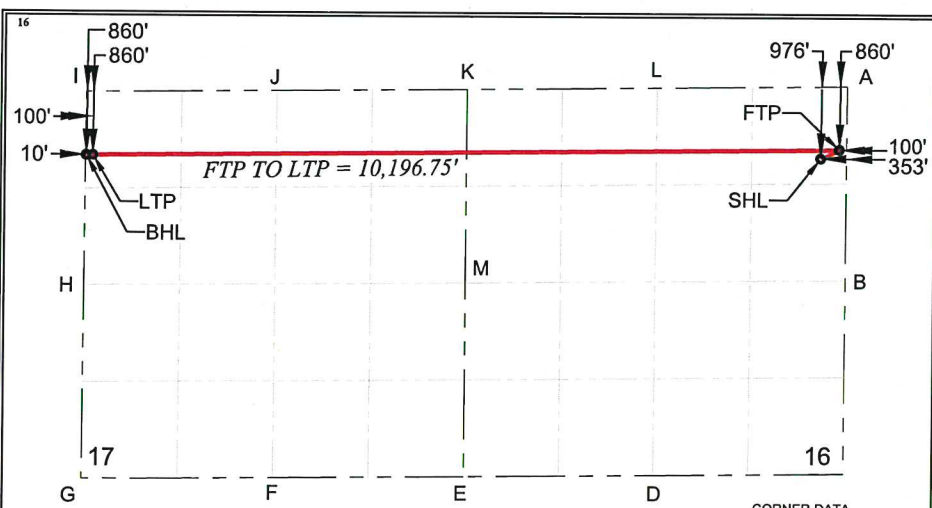
| UL or lot no. | Section | Township | Range | Lot Idn | Feet from the | North/South line | Feet from the | East/West line | County |
|---------------|---------|----------|-------|---------|---------------|------------------|---------------|----------------|--------|
| A | 16 | 19-S | 28-E | | 976' | NORTH | 353' | EAST | EDDY |

11 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 |
|---------------|---------|----------|-------|---------|---------------|------------------|---------------|----------------|--------|
| D | 17 | 19-S | 28-E | | 860' | NORTH | 10' | WEST | EDDY |

| | | | |
|--------------------|--------------------|-----------------------|--------------|
| 12 Dedicated Acres | 13 Joint or Infill | 14 Consolidation Code | 15 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.



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 _____
Printed Name _____
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.

Date of Survey _____
Signature and Seal of Professional Surveyor:
Certificate Number _____ 12/2/2021

SURFACE HOLE LOCATION (SHL)
NEW MEXICO EAST - NAD 83
X=590449.64 LAT.= 32.66522283° N
Y=605776.02 LONG.= 104.17373806° W
NEW MEXICO EAST - NAD 27
X=549269.93 LAT.= 32.66510612° N
Y=605713.91 LONG.= -104.17322899° W
976' FNL, 353' FEL - SECTION 16

FIRST TAKE POINT (FTP)
NEW MEXICO EAST - NAD 83
X=590703.79 LAT.= 32.66552527° N
Y=605896.37 LONG.= 104.17291159° W
NEW MEXICO EAST - NAD 27
X=549524.08 LAT.= 32.66543585° N
Y=605834.25 LONG.= -104.17240254° W
860' FNL, 100' FEL - SECTION 16

LAST TAKE POINT (LTP)
NEW MEXICO EAST - NAD 83
X=580506.93 LAT.= 32.66527746° N
Y=605782.46 LONG.= 104.20604789° W
NEW MEXICO EAST - NAD 27
X=539327.21 LAT.= 32.66516108° N
Y=605720.42 LONG.= -104.20553808° W
860' FNL, 100' FWL - SECTION 17

BOTTOM HOLE LOCATION (BHL)
NEW MEXICO EAST - NAD 83
X=580416.92 LAT.= 32.66527523° N
Y=605781.54 LONG.= 104.20634038° W
NEW MEXICO EAST - NAD 27
X=539237.21 LAT.= 32.66515885° N
Y=605719.50 LONG.= -104.20583057° W
860' FNL, 10' FWL - SECTION 17

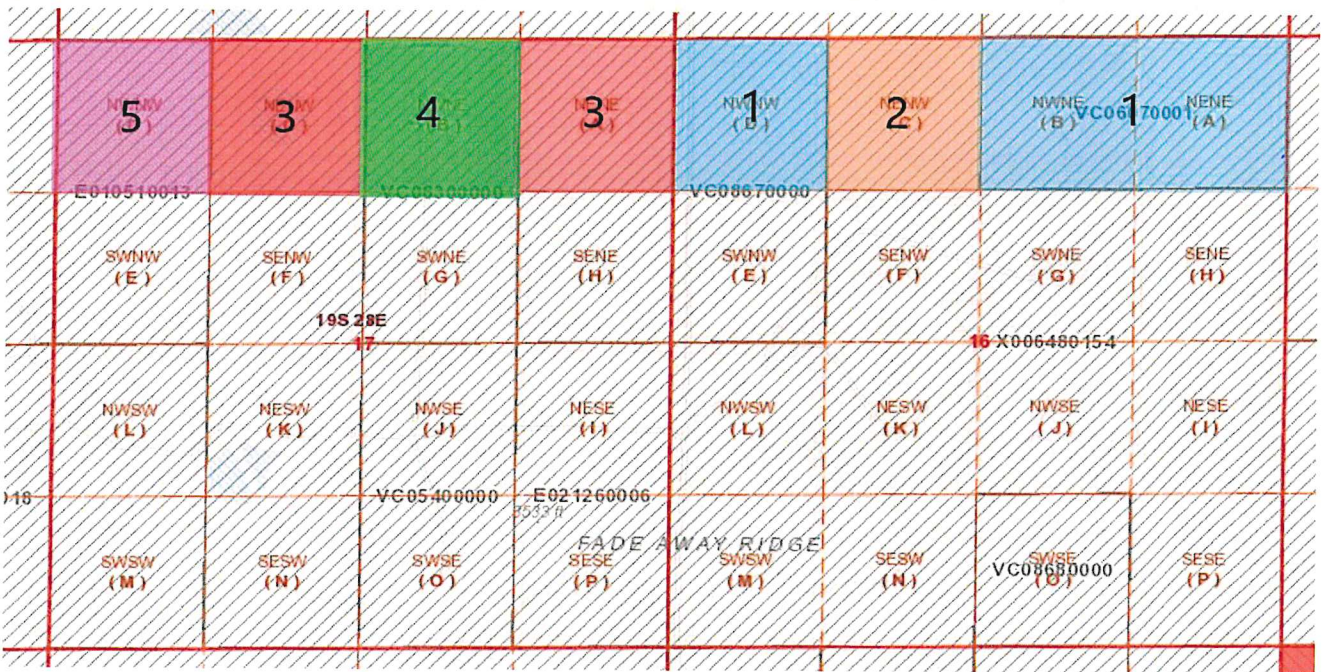
- CORNER DATA
NEW MEXICO EAST - NAD 83
A - FOUND IRON PIPE W/ BRASS CAP
N:606757.31' E:590806.24'
B - FOUND 1" IRON PIPE
N:604120.46' E:590796.45'
C - FOUND IRON PIPE W/ BRASS CAP
N:601487.49' E:590787.58'
D - FOUND IRON PIPE W/ BRASS CAP
N:601458.74' E:588190.50'
E - FOUND IRON PIPE W/ BRASS CAP
N:601430.34' E:585595.57'
F - FOUND IRON PIPE W/ BRASS CAP
N:601406.13' E:582988.92'
G - FOUND IRON PIPE W/ BRASS CAP
N:601382.22' E:580382.84'
H - FOUND IRON PIPE W/ BRASS CAP
N:604011.85' E:580396.86'
I - FOUND 2" IRON PIPE
N:606641.54' E:580411.81'
J - FOUND 1" IRON PIPE
N:606668.08' E:583007.40'
K - FOUND 2" IRON PIPE
N:606695.00' E:585602.41'
L - CALCULATED CORNER
N:606726.16' E:588204.33'
M - FOUND 1" IRON PIPE
N:604062.54' E:585596.50'

| N2N2 CASE NO. 22398 | | | | |
|--------------------------|------------|---------|--------|---------------------|
| WI OWNER | TRACT | NET | WI | FORCE POOL INTEREST |
| Colgate Production, LLC* | 1, 2, 3, 5 | 219.222 | 68.51% | Operator |
| EOG Resources | 2, 5 | 18 | 5.63% | Yes |
| Apache Corporation | 2, 3 | 42.7778 | 13.37% | Yes |
| Petrogulf Corporation* | 4 | 40 | 12.50% | Yes |

*NMSLO Record Title & WI Owner

NMSLO Record Title Owners (Own no WI in above case)
 WPX Permian, LLC
 Contango Resources, Inc.

ORRI Owners
 Marathon Oil Permian, LLC
 Yates Brothers, et al
 Gahr Energy Co.
 Fuel Products, Inc.
 V-F Petroleum, Inc.
 Lodge Exploration Co., LLC



COLGATE OPERATING, LLC
 Case Nos. 22398
 Exhibit A-3



Petrogulf Corporation
600 Grant Street
Suite 850
Denver, Colorado 80203

RE: Black Cat 16 State Com Well Proposals
N/2 of Sec. 16 & N/2 Sec. 17, T19S-28E, Bone Spring Formation
Eddy County, New Mexico

To whom it may concern:

Colgate Production, LLC ("Colgate"), hereby proposes the drilling of four (4) wells, the Black Cat 16 State Com 121H, 122H, 131H, and 132H at the following approximate locations:

Black Cat 16 State Com 121H
SHL: To be located at a legal location in Units A/H of Section 16-19S-28E
BHL: To be located at a legal location in Unit D Section 17-19S-28E
TVD: ~7,450'
TMD: Approximately 18,100'
Targeted Interval: 2nd Bone Spring
Total Cost: See attached AFE

Black Cat 16 State Com 122H
SHL: To be located at a legal location in Units I/P of Section 16-19S-28E
BHL: To be located at a legal location in Unit E of Section 17-19S-28E
TVD: ~7,450'
TMD: Approximately 18,100'
Targeted Interval: 2nd Bone Spring
Total Cost: See attached AFE

Black Cat 16 State Com 131H
SHL: To be located at a legal location in Units A/H of Section 16-19S-28E
BHL: To be located at a legal location in Unit D of Section 17-19S-28E
TVD: ~8,600'
TMD: Approximately 19,300'
Targeted Interval: 3rd Bone Spring
Total Cost: See attached AFE

Black Cat 16 State Com 132H
SHL: To be located at a legal location in Units I/P of Section 16-19S-28E
BHL: To be located at a legal location in Unit E of Section 17-19S-28E
TVD: ~8,600'
TMD: Approximately 19,300'
Targeted Interval: 3rd Bone Spring
Total Cost: See attached AFE

COLGATE OPERATING,
LLC
Case No. 22398
Exhibit A-4

The locations, TVD's, and targets are approximate and subject to change depending on surface or subsurface issues encountered. Colgate is proposing to drill these wells under the modified terms of the 1989 AAPL Operating Agreement and a form of said Operating Agreement will be forwarded to you following your receipt of your election to participate. The Operating Agreement will have the following general provisions:

- 100%/200%/200% non-consent provisions
- \$8,000/\$800 drilling and producing rates
- Colgate Operating, LLC named as Operator

Please indicate your election to participate in the drilling and completion of the proposed wells in the space provided below. Please sign and return one copy of this letter, a signed copy of the previously proposed AFE, and your geologic well requirements.

Colgate will apply to the New Mexico Oil Conservation Division for compulsory pooling of your interest into a spacing unit for the proposed well, should we not reach an agreement within 30 days of the date of this letter. If you do not wish to participate Colgate would be interested in acquiring your interest in the subject lands.

If you have any questions regarding this matter, please give me a call at 432-257-3886 or via email at mhajdik@colgateenergy.com.

Sincerely,



Mark Hajdik
Senior Landman

Colgate Energy
300 N. Marienfeld St.
Suite 1000
Midland, TX 79701

Enclosures

Well Elections

_____ I/We hereby elect to participate in the Black Cat 16 State Com 121H.

_____ I/We hereby elect NOT to participate in the Black Cat 16 State Com 121H.

_____ I/We hereby elect to participate in the Black Cat 16 State Com 122H.

_____ I/We hereby elect NOT to participate in the Black Cat 16 State Com 122H.

_____ I/We hereby elect to participate in the Black Cat 16 State Com 131H.

_____ I/We hereby elect NOT to participate in the Black Cat 16 State Com 131H.

_____ I/We hereby elect to participate in the Black Cat 16 State Com 132H.

_____ I/We hereby elect NOT to participate in the Black Cat 16 State Com 132H.

Working Interest Owner: _____

Printed Name: _____

Date: _____

Colgate Energy

303 W. Wall St., Midland TX 79701
 Phone (432) 695-4257 • Fax (432) 695-4063

ESTIMATE OF COSTS AND AUTHORIZATION FOR EXPENDITURE

| | | | |
|------------------|-----------------------------|------------------|-------------------------|
| DATE: | 12/3/2020 | AFE NO.: | 0 |
| WELL NAME: | Black Cat 16 State Com 121H | FIELD: | Winchester, Bone Spring |
| LOCATION: | Parkway | MD/TVD: | 18129 / 7442 |
| COUNTY/STATE: | Eddy | LATERAL LENGTH: | 10,360 |
| Colgate WI: | 0.00% | DRILLING DAYS: | 20.6 |
| GEOLOGIC TARGET: | 2nd Bone Spring | COMPLETION DAYS: | 16 |

REMARKS: Drill and Complete 60 stages in the 2nd Bone Spring formation. AFE includes D&C, flowback & initial ESP install.

| | DRILLING COSTS | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS |
|-------------------------------------|------------------|------------------|------------------|------------------|
| INTANGIBLE COSTS | | | | |
| 1 Land / Legal / Regulatory | \$ 35,000 | \$ - | \$ - | \$ 35,000 |
| 2 Location, Surveys & Damages | 150,000 | 13,000 | 10,000 | 173,000 |
| 4 Freight / Transportation | 35,300 | 36,750 | - | 92,250 |
| 5 Rental - Surface Equipment | 35,800 | 150,450 | 4,610 | 210,890 |
| 6 Rental - Downhole Equipment | 68,799 | 56,000 | - | 124,799 |
| 7 Rental - Living Quarters | 35,516 | 45,700 | 5,200 | 86,416 |
| 10 Directional Drilling, Surveys | 188,350 | - | - | 188,350 |
| 11 Drilling | 475,824 | - | - | 475,824 |
| 12 Drill Bits | 81,000 | - | - | 81,000 |
| 13 Fuel & Power | 67,053 | 210,000 | - | 277,053 |
| 14 Cementing & Float Equip | 155,000 | - | - | 155,000 |
| 16 Perforating, Wireline, Slickline | - | 260,750 | 8,000 | 268,750 |
| 17 High Pressure Pump Truck | - | 10,000 | - | 10,000 |
| 18 Completion Unit, Swab, CTU | - | 150,000 | 12,040 | 162,040 |
| 20 Mud Circulation System | 83,144 | - | - | 83,144 |
| 21 Mud Logging | 19,499 | - | - | 19,499 |
| 22 Logging / Formation Evaluation | 6,494 | 8,000 | - | 14,494 |
| 23 Mud & Chemicals | 98,516 | 308,000 | - | 406,516 |
| 24 Water | 28,193 | 505,932 | - | 534,125 |
| 25 Stimulation | - | 720,000 | - | 720,000 |
| 26 Stimulation Flowback & Disp | - | 94,000 | - | 94,000 |
| 28 Mud / Wastewater Disposal | 96,938 | 63,000 | - | 159,938 |
| 30 Rig Supervision / Engineering | 95,975 | 79,600 | 9,800 | 185,375 |
| 32 Drig & Completion Overhead | 7,725 | - | - | 7,725 |
| 35 Labor | 108,500 | 30,500 | 10,000 | 149,000 |
| 54 Proppant | - | 436,156 | - | 436,156 |
| 95 Insurance | 32,632 | - | - | 32,632 |
| 97 Contingency | 97,274 | 154,242 | 5,968 | 257,484 |
| 99 Plugging & Abandonment | - | - | - | - |
| TOTAL INTANGIBLES > | 2,042,761 | 3,332,080 | 65,648 | 5,440,489 |
| TANGIBLE COSTS | | | | |
| 60 Surface Casing | \$ 9,590 | \$ - | \$ - | \$ 9,590 |
| 61 Intermediate Casing | 69,726 | - | - | 69,726 |
| 62 Drilling Liner | - | - | - | - |
| 63 Production Casing | 238,396 | - | - | 238,396 |
| 64 Production Liner | - | - | - | - |
| 65 Tubing | - | - | 30,911 | 30,911 |
| 66 Wellhead | 64,000 | - | 48,900 | 112,900 |
| 67 Packers, Liner Hangers | 22,000 | - | 3,500 | 25,500 |
| 68 Tanks | - | - | - | - |
| 69 Production Vessels | - | - | - | - |
| 70 Flow Lines | - | - | - | - |
| 71 Rod string | - | - | - | - |
| 72 Artificial Lift Equipment | - | - | 80,000 | 80,000 |
| 73 Compressor | - | - | - | - |
| 74 Installation Costs | - | - | 35,000 | 35,000 |
| 75 Surface Pumps | - | - | 5,000 | 5,000 |
| 76 Downhole Pumps | - | - | 4,950 | 4,950 |
| 77 Measurement & Meter Installation | - | - | - | - |
| 78 Gas Conditioning / Dehydration | - | - | - | - |
| 79 Interconnecting Facility Piping | - | - | - | - |
| 80 Gathering / Bulk Lines | - | - | - | - |
| 81 Valves, Dumps, Controllers | - | - | - | - |
| 82 Tank / Facility Containment | - | - | - | - |
| 83 Flare Stack | - | - | - | - |
| 84 Electrical / Grounding | - | - | 60,000 | 60,000 |
| 85 Communications / SCADA | - | - | - | - |
| 86 Instrumentation / Safety | - | - | - | - |
| TOTAL TANGIBLES > | 403,712 | 0 | 268,261 | 671,972 |
| TOTAL COSTS > | 2,446,473 | 3,332,080 | 333,909 | 6,112,461 |

PREPARED BY Colgate Energy:

| | | |
|-----------------------|----------------|-----|
| Drilling Engineer: | Steven Segrest | |
| Completions Engineer: | Brady Adams | CRM |
| Production Engineer: | Levi Harris | |

Colgate Energy APPROVAL:

| | | | | | |
|-------------------|----|------------------|----|-----------------|-----|
| Co-CEO | WH | Co-CEO | JW | VP - Operations | CRM |
| VP - Land & Legal | BC | VP - Geosciences | SO | | |

NON OPERATING PARTNER APPROVAL:

| | | |
|---------------|---|---------|
| Company Name: | Working Interest (%): | Tax ID: |
| Signed by: | Date: | |
| Title: | Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No (mark one) | |

The costs on this AFE are estimates only and may not be recovered in whole or in part under the terms of the applicable joint operating agreement, regulatory order or other agreement covering this well. Participants shall be covered by and held proportionately for Operator's well control and general liability insurance unless participant provides Operator a certificate evidencing its own insurance in an amount acceptable to the Operator by the date of spud.

Colgate Energy

303 W. Wall St., Midland TX 79701
 Phone (432) 695-4257 • Fax (432) 695-4063

ESTIMATE OF COSTS AND AUTHORIZATION FOR EXPENDITURE

| | | | |
|------------------|-----------------------------|------------------|-------------------------|
| DATE: | 12/3/2020 | AFE NO.: | 0 |
| WELL NAME: | Black Cat 16 State Com 131H | FIELD: | Winchester; Bone Spring |
| LOCATION: | Parkway | MD/TVD: | 19339 / 8652 |
| COUNTY/STATE: | Eddy | LATERAL LENGTH: | 10,360 |
| Colgate WI: | 0.00% | DRILLING DAYS: | 23.25 |
| GEOLOGIC TARGET: | 3rd Bone Spring | COMPLETION DAYS: | 16 |

REMARKS: Drill and Complete 60 stages in the 3rd Bone Spring formation. AFE includes D&C, flowback & initial ESP install.

| | DRILLING COSTS | COMPLETION COSTS | PRODUCTION COSTS | TOTAL COSTS |
|-------------------------------------|------------------|------------------|------------------|------------------|
| INTANGIBLE COSTS | | | | |
| 1 Land / Legal / Regulatory | \$ 35,000 | \$ - | \$ - | \$ 35,000 |
| 2 Location, Surveys & Damages | 150,000 | 13,000 | 10,000 | 173,000 |
| 4 Freight / Transportation | 55,500 | 36,750 | - | 92,250 |
| 5 Rental - Surface Equipment | 62,354 | 150,450 | 4,640 | 217,444 |
| 6 Rental - Downhole Equipment | 68,799 | 56,000 | - | 124,799 |
| 7 Rental - Living Quarters | 38,583 | 45,700 | 5,200 | 89,483 |
| 10 Directional Drilling, Surveys | 237,200 | - | - | 237,200 |
| 11 Drilling | 521,597 | - | - | 521,597 |
| 12 Drill Bits | 112,500 | - | - | 112,500 |
| 13 Fuel & Power | 75,679 | 210,000 | - | 285,679 |
| 14 Cementing & Float Equip | 155,000 | - | - | 155,000 |
| 16 Perforating, Wireline, Slickline | - | 260,750 | 8,000 | 268,750 |
| 17 High Pressure Pump Truck | - | 10,000 | - | 10,000 |
| 18 Completion Unit, Swab, CTU | - | 150,000 | 12,040 | 162,040 |
| 20 Mud Circulation System | 91,730 | - | - | 91,730 |
| 21 Mud Logging | 21,725 | - | - | 21,725 |
| 22 Logging / Formation Evaluation | 8,296 | 8,000 | - | 16,296 |
| 23 Mud & Chemicals | 106,356 | 308,000 | - | 414,356 |
| 24 Water | 28,426 | 543,228 | - | 571,654 |
| 25 Stimulation | - | 720,000 | - | 720,000 |
| 26 Stimulation Flowback & Disp | - | 94,000 | - | 94,000 |
| 28 Mud / Wastewater Disposal | 96,938 | 73,000 | - | 169,938 |
| 30 Rig Supervision / Engineering | 108,322 | 79,600 | 9,800 | 197,722 |
| 32 Drlg & Completion Overhead | 8,719 | - | - | 8,719 |
| 35 Labor | 108,500 | 30,500 | 10,000 | 149,000 |
| 54 Proppant | - | 490,676 | - | 490,676 |
| 95 Insurance | 34,810 | - | - | 34,810 |
| 97 Contingency | 106,302 | 159,333 | 5,968 | 271,602 |
| 99 Plugging & Abandonment | - | - | - | - |
| TOTAL INTANGIBLES > | 2,232,334 | 3,438,986 | 65,648 | 5,736,968 |
| TANGIBLE COSTS | | | | |
| 60 Surface Casing | \$ 9,590 | \$ - | \$ - | \$ 9,590 |
| 61 Intermediate Casing | 69,726 | - | - | 69,726 |
| 62 Drilling Liner | - | - | - | - |
| 63 Production Casing | 254,308 | - | - | 254,308 |
| 64 Production Liner | - | - | - | - |
| 65 Tubing | - | - | 36,356 | 36,356 |
| 66 Wellhead | 64,000 | - | 48,900 | 112,900 |
| 67 Packers, Liner Hangers | 22,000 | - | 3,500 | 25,500 |
| 68 Tanks | - | - | - | - |
| 69 Production Vessels | - | - | - | - |
| 70 Flow Lines | - | - | - | - |
| 71 Rod string | - | - | - | - |
| 72 Artificial Lift Equipment | - | - | 80,000 | 80,000 |
| 73 Compressor | - | - | - | - |
| 74 Installation Costs | - | - | 35,000 | 35,000 |
| 75 Surface Pumps | - | - | 5,000 | 5,000 |
| 76 Downhole Pumps | - | - | 4,950 | 4,950 |
| 77 Measurement & Meter Installation | - | - | - | - |
| 78 Gas Conditioning / Dehydration | - | - | - | - |
| 79 Interconnecting Facility Piping | - | - | - | - |
| 80 Gathering / Bulk Lines | - | - | - | - |
| 81 Valves, Dumps, Controllers | - | - | - | - |
| 82 Tank / Facility Containment | - | - | - | - |
| 83 Flare Stack | - | - | - | - |
| 84 Electrical / Grounding | - | - | 60,000 | 60,000 |
| 85 Communications / SCADA | - | - | - | - |
| 86 Instrumentation / Safety | - | - | - | - |
| TOTAL TANGIBLES > | 419,623 | 0 | 273,706 | 693,329 |
| TOTAL COSTS > | 2,651,957 | 3,438,986 | 339,354 | 6,430,297 |

PREPARED BY Colgate Energy:

| | | |
|-----------------------|----------------|-----|
| Drilling Engineer: | Steven Segrest | |
| Completions Engineer: | Brady Adams | CRM |
| Production Engineer: | Levi Harris | |

Colgate Energy APPROVAL:

| | | | | | |
|-------------------|----|------------------|----|-----------------|-----|
| Co-CEO | WH | Co-CEO | JW | VP - Operations | CRM |
| VP - Land & Legal | BC | VP - Geosciences | SO | | |

NON OPERATING PARTNER APPROVAL:

| | | |
|---------------|---|---------|
| Company Name: | Working Interest (%): | Tax ID: |
| Signed by: | Date: | |
| Title: | Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No (mark one) | |

The costs on this AFE are estimates only and may not be incurred as colgate or any specific area or the total cost of the project. Tubing installation approval under the AFE may be delayed up to a year after the well has been completed. In executing this AFE, the Participant agrees to pay its proportionate share of actual costs incurred, including legal, permits, regulatory, backlogs and well costs under the terms of the applicable joint operating agreement, regulatory order or other agreement covering this well. Participants shall be covered by and hold indemnity for Operator's well control and general liability insurance unless participant provides Operator a certificate evidencing its own insurance in an amount as applicable to the Operator by the date of sign.

Communication Timeline

December 2020 – Initial proposals sent for Black Cat 16 State Com wells

January – April, 2021 – Finalized acquisition of Contango intrest

January – July, 2021 – Ongoing trade discussions with VF, closed in July/August of 2021

January – August, 2021 – Ongoing trade discussions with EOG, closed in Q3 of 2021

May 2021 – Acquired additional tract in NMSLO lease sale that had expired after Colgate sent initial proposals

January – December, 2021 – Ongoing discussions with Apache, and conceptual trade and reciprocal support agreements reached

April 2021 to Present – Ongoing discussions with Petrogulf to acquire or participate, no final resolution to date

February 12, 2022 – As of this date all parties have either been acquired, agreed to support Colgate as Operator with the exception of Petrogulf

COLGATE OPERATING,
LLC
Case No. 22398
Exhibit A-5



HINKLE SHANOR LLP
ATTORNEYS AT LAW
PO BOX 2068
SANTA FE, NEW MEXICO 87504
505-982-4554 (FAX) 505-982-8623

WRITER:
Dana S. Hardy, Partner
dhardy@hinklelawfirm.com

December 10, 2021

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO ALL INTERESTED PARTIES SUBJECT TO NOTICE

Re: Case No. 22398 - Application of Colgate Operating, LLC for Compulsory Pooling, Eddy County, New Mexico.

To whom it may concern:

This letter is to advise you that COG Operating LLC filed the enclosed application with the New Mexico Oil Conservation Division. The hearing will be conducted on **January 6, 2022** beginning at 8:15 a.m.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <https://www.emnrd.nm.gov/oed/hearing-info/>. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Pursuant to Division Rule 19.15.4.13.B, a party who intends to present evidence at the hearing shall file a pre-hearing statement and serve copies on other parties, or the attorneys of parties who are represented by counsel, at least four business days in advance of a scheduled hearing, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date. The statement must be filed at the Division's Santa Fe office or submitted through the OCD E-Permitting system (<https://wwwapps.emnrd.state.nm.us/oed/oedpermitting/>) and should include: the names of the parties and their attorneys, a concise statement of the case, the names of all witnesses the party will call to testify at the hearing, the approximate time the party will need to present its case, and identification of any procedural matters that are to be resolved prior to the hearing.

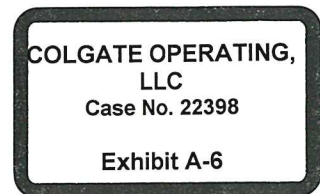
Please do not hesitate to contact me if you have any questions about this matter.

Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

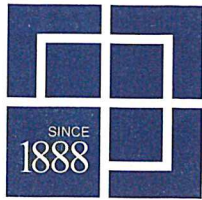
Enclosure



PO BOX 10
ROSWELL, NEW MEXICO 88202
575-622-6510
(FAX) 575-623-9332

PO BOX 2068
SANTA FE, NEW MEXICO 87504
505-982-4554
(FAX) 505-982-8623

7601 JEFFERSON ST NE • SUITE 180
ALBUQUERQUE, NEW MEXICO 87109
505-858-8320
(FAX) 505-858-8321



HINKLE SHANOR LLP
ATTORNEYS AT LAW
PO BOX 2068
SANTA FE, NEW MEXICO 87504
505-982-4554 (FAX) 505-982-8623

WRITER:

Dana S. Hardy, Partner
dhardy@hinklelawfirm.com

December 10, 2021

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO ALL OVERRIDING ROYALTY INTEREST OWNERS SUBJECT TO NOTICE

Re: Case No. 22398 - Application of Colgate Operating, LLC for Compulsory Pooling, Eddy County, New Mexico.

To whom it may concern:

This letter is to advise you that COG Operating LLC filed the enclosed application with the New Mexico Oil Conservation Division. The hearing will be conducted on **January 6, 2022** beginning at 8:15 a.m.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <https://www.emnrd.nm.gov/ocd/hearing-info/>. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Pursuant to Division Rule 19.15.4.13.B, a party who intends to present evidence at the hearing shall file a pre-hearing statement and serve copies on other parties, or the attorneys of parties who are represented by counsel, at least four business days in advance of a scheduled hearing, but in no event later than 5:00 p.m. mountain time, on the Thursday preceding the scheduled hearing date. The statement must be filed at the Division's Santa Fe office or submitted through the OCD E-Permitting system (<https://wwwapps.emnrd.state.nm.us/ocd/ocdpermitting/>) and should include: the names of the parties and their attorneys, a concise statement of the case, the names of all witnesses the party will call to testify at the hearing, the approximate time the party will need to present its case, and identification of any procedural matters that are to be resolved prior to the hearing.

Please do not hesitate to contact me if you have any questions about this matter.

Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

Enclosure

PO BOX 10
ROSWELL, NEW MEXICO 88202
575-622-6510
(FAX) 575-623-9332

PO BOX 2068
SANTA FE, NEW MEXICO 87504
505-982-4554
(FAX) 505-982-8623

7601 JEFFERSON ST NE • SUITE 180
ALBUQUERQUE, NEW MEXICO 87109
505-858-8320
(FAX) 505-858-8321

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SANTA FE NM 84701

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Postnet
Here

USPS

1951 0304 0000 0490 2020

Certified Mail Fee
\$

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To
Gahr Energy Co.
P.O. Box 1889
Midland, TX 79702

Street and
Midland, TX 79702

City, State

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gahr Energy Co.
P.O. Box 1889
Midland, TX 79702



9590 9402 6746 1074 2523 14

2. Article Number (Transfer from service label)

7020 0640 0000 0304 1951

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
- B. Received by (Printed Name) Addressee
- C. Date of Delivery
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

Postmark Here
DEC 10 2021

Total Postage and Fees \$

Sent To
 Fuel Products, Inc.
 P.O. Box 3098
 Midland, TX 79702
 City:

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 0640 0000 0304 1944

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Fuel Products, Inc.
 P.O. Box 3098
 Midland, TX 79702



9590 9402 6746 1074 2523 07

2. Article Number (Transfer from service label)

7020 0640 0000 0304 1944

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
Xe Reynolds Addressee
- B. Received by (Printed Name) Agent
Xe Reynolds Addressee
- C. Date of Delivery
12-15-21
- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

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For delivery information, visit our website at www.usps.com®

OFFICIAL USE
PS Form 3811, July 2020 PSN 7530-02-000-9053

7021 0350 0001 3337 9824

Certified Mail Fee

Extra Services & Fees (check box and fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____

Sent To _____

Street and Apt. # _____ EOG Resources
5509 Champions Dr.
Midland, TX 79706

City, State, ZIP+4 _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EOG Resources
5509 Champions Dr.
Midland, TX 79706



9590 9402 6746 1074 2503 03

2. Article Number (Transfer from service label)

7021 0350 0001 3337 9824

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature X W H Agent Addressee

B. Received by (Printed Name) Mr Bert C. Date of Delivery 12/13

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail (Additional Fee Required)
- Insured Mail Restricted Delivery (Additional Fee Required)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

7021 0350 0001 3337 9848

CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To Apache Corp.
303 Veterans Airpark Ln., Ste. 1000
Midland, TX 79705

PS Form 3800, April 2015 PSN 7530-02-000-9047. See Reverse for Instructions.

Postmark Here
DEC 10 2021
SANTA FE, NM 87501
USPS

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
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| <p>1. Article Addressed to:</p> <p>Apache Corp. 303 Veterans Airpark Ln., Ste. 1000 Midland, TX 79705</p> | |
| <p>2. Article Number (Transfer from service label)</p> <p>9590 9402 6746 1074 2503 27</p> <p>7021 0350 0001 3337 9848</p> | <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> |
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Sent To
 Lodge Exploration Co., LLC
 Street and A1 203 W. Wall St., Ste. 920
 Midland, TX 79701
 City, State, Z

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions.

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| <p>1. Article Addressed to:</p> <p>Lodge Exploration Co., LLC 203 W. Wall St., Ste. 920 Midland, TX 79701</p> | <p>3. Service Type</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> |
| <p>9590 9402 6746 1074 2522 84</p> <p>2. Article Number (Transfer from service label)</p> <p>7020 0640 0000 0304 1920</p> | |
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Sent To
Marathon Oil Permian, LLC
Street and # 5555 San Felipe
Houston, TX 77056
City, State, ZIP+4®

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1. Article Addressed to:

Marathon Oil Permian, LLC
5555 San Felipe
Houston, TX 77056

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
- B. Received by (Print Name) Addressee
- C. Date of Delivery 12/09/21
- D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:



9590 9402 6746 1074 2502 97

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3. Service Type

Adult Signature

Adult Signature Restricted Delivery

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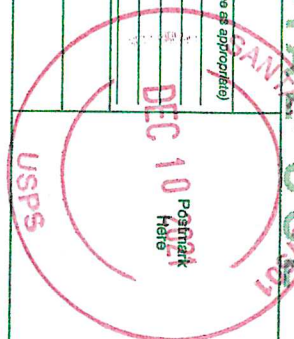
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Sent To _____

Street and A/V-F Petroleum, Inc.
P.O. Box 1889
Midland, TX 79702

City, State, ZIP+4® _____

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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1. Article Addressed to:

V-F Petroleum, Inc.
P.O. Box 1889
Midland, TX 79702

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A. Signature Xel Petroleum Agent

B. Received by (Printed Name) Musena Addressee

C. Date of Delivery 12-10-21

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No



9590 9402 6746 1074 2522 91

2. Article Number (Transfer from service label)
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Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____

Sent To: Yates Brothers, et al.
Street and: P.O. Box 1394
City, State: Artesia, NM 88211

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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| <p>1. Article Addressed to:</p> <p>Yates Brothers, et al. P.O. Box 1394 Artesia, NM 88211</p> | <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> |
| <p>2. Article Number (Transfer from service label)</p> <p>9590 9402 6746 1074 2502 80</p> <p>7021 0350 0001 3337 9800</p> | |
| PS Form 3811, July 2020 PSN 7530-02-000-9053 | Domestic Return Receipt |

Carlsbad Current Argus.

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Affidavit of Publication

Ad # 0005047747

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218 MONTEZUMA

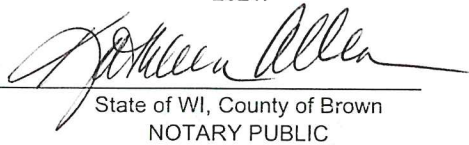
SANTA FE, NM 87501

I, a legal clerk of the **Carlsbad Current Argus**, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof in editions dated as follows:

12/17/2021


Legal Clerk

Subscribed and sworn before me this December 17, 2021:


State of WI, County of Brown
NOTARY PUBLIC


My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

This is to notify all interested parties, including Apache Corp.; Petrogulf Corporation; EOG Resources; Marathon Oil Permian, LLC; Yates Brothers, et al.; Gahr Energy Co.; Fuel Products, Inc.; V-F Petroleum, Inc.; Lodge Exploration Co., LLC; and their successors and assigns, that the New Mexico Oil Conservation Division will conduct a hearing on an application submitted by Colgate Operating, LLC (Case No. 22398). During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on January 6, 2022, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the docket for the hearing date: <http://www.emnrd.state.nm.us/OC/hearings.html>. Applicant applies for an order pooling all uncommitted interests within the Bone Spring formation underlying a 320-acre, more or less, standard horizontal spacing unit comprised of the N/2N/2 of Sections 16 and 17, Township 19 South, Range 28 East, Eddy County, New Mexico ("Unit"). The Unit will be dedicated to the Black Cat 16 State Com 121H and Black Cat 16 State Com 131H wells ("Wells") to be horizontally drilled from a surface hole location in the NE/4NE/4 (Unit A) of Section 16 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 17. The completed intervals of the Wells will be orthodox. Also, to be considered will be the cost of drilling and completing the Wells and the allocation of the costs, the designation of Applicant as the operator of the Wells, and a 200% charge for the risk involved in drilling and completing the Wells. The Wells are located approximately 18 miles northeast of Carlsbad. #5047747, Current Argus Dec. 17, 2021

Ad # 0005047747
PO #: 22398
of Affidavits 1

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COLGATE OPERATING, LLC
Case No. 22398
Exhibit A-7

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

APPLICATION OF COLGATE OPERATING,
LLC FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO

CASE NO. 22398

SELF-AFFIRMED STATEMENT
OF DAVID DAGIAN

1. I am a geologist at Colgate Operating, LLC (“Colgate”) and am over 18 years of age. I have personal knowledge of the matters addressed herein and am competent to provide this Self-Affirmed Statement. I have previously testified before the New Mexico Oil Conservation Division (“Division”), and my credentials as an expert in petroleum geology matters were accepted and made a matter of record.

2. I am familiar with the geological matters that pertain to the above-referenced case.

3. **Exhibit B-1** is a regional locator map that identifies the Black Cat project area, in proximity to the Capitan Reef within the Delaware Basin, for the Bone Spring horizontal spacing units that are the subject of these applications.

4. **Exhibit B-2** is a cross section location map for the proposed horizontal spacing unit (“Unit”) within the Bone Spring formation. The approximate wellbore paths for the proposed **Black Cat 16 State Com 121H** and **Black Cat 16 State Com 131H** wells (“Wells”) are represented by dashed lines. Existing producing wells in the targeted interval are represented by solid lines. This map identifies the cross-section running from A-A’ with the cross-section well names and a black line in proximity to the proposed wells.

5. **Exhibit B-3** is Second Bone Spring (SBSG) Structure map on the base of the Second Bone Spring formation in TVD subsea with a contour interval of 50 ft. The map identifies

the approximate wellbore path for the **Black Cat 16 State Com 121H** proposed SBSG well with an orange dashed line. It also identifies the location of the cross-section running from A-A' in proximity to the proposed well. The data points are indicated by red triangles. The map demonstrates the formation is gently dipping to the east-southeast in this area. I do not observe any faulting, pinch-outs, or geologic impediments to developing the targeted intervals with horizontal wells.

6. **Exhibit B-4** is Third Bone Spring (TBSG) Structure map on the top of the Third Bone Spring formation in TVD subsea with a contour interval of 50 ft. The map identifies the approximate wellbore path for the **Black Cat 16 State Com 131H** proposed TBSG well with a red dashed line. It also identifies the location of the cross-section running from A-A' in proximity to the proposed well. The data points are indicated by red triangles. The map demonstrates the formation is gently dipping to the east-southeast in this area. I do not observe any faulting, pinch-outs, or geologic impediments to developing the targeted intervals with horizontal wells.

7. **Exhibit B-5** identifies four wells penetrating the targeted interval I used to construct a structural cross-section from A to A'. The structural cross section from west to east shows the regional dip to the East-Southeast for both the SBSG and the TBSG. I used these well logs because they penetrate the targeted interval, are of good quality, and are representative of the geology in the area. The target zones for the proposed wells are the Second and Third Bone Spring formations, which are consistent across the units. The approximate well-path for the proposed wells is indicated by dashed lines to be drilled from east to west across the units.

8. **Exhibit B-6** is a stratigraphic cross-section from A to A' using the representative wells identified on **Exhibit B-5**. It contains gamma ray, resistivity, and porosity logs. The cross section is oriented from west to east and is hung on the top of the Wolfcamp formation. The

proposed landing zone for the Wells is labeled on the exhibit. The approximate well-path for the proposed wells is indicated by dashed lines to be drilled from east to west across the units. This cross-section demonstrates the target interval is continuous across the Unit.

9. **Exhibit B-7** is a gun barrel diagram that shows the **Black Cat 16 State Com 121H** well in the Second Bone Spring formation and the **Black Cat 16 State Com 131H** well in the Third Bone Spring formation.

10. In my opinion, a laydown orientation for the Wells is appropriate to properly develop the subject acreage because of consistent rock properties throughout the Unit and is the preferred fracture orientation in this portion of the trend.

11. Based on my geologic study of the area, the targeted interval underlying the Unit is suitable for development by horizontal wells and the tracts comprising the Unit will contribute more or less equally to the production of the Wells.

12. In my opinion, the granting of Colgate's application will serve the interests of conservation, the protection of correlative rights, and the prevention of waste.

13. The exhibits attached hereto were either prepared by me or under my supervision or were compiled from company business records.

14. I understand this Self-Affirmed Statement will be used as written testimony in this case. I affirm my testimony in paragraphs 1 through 13 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date identified next to my signature below.



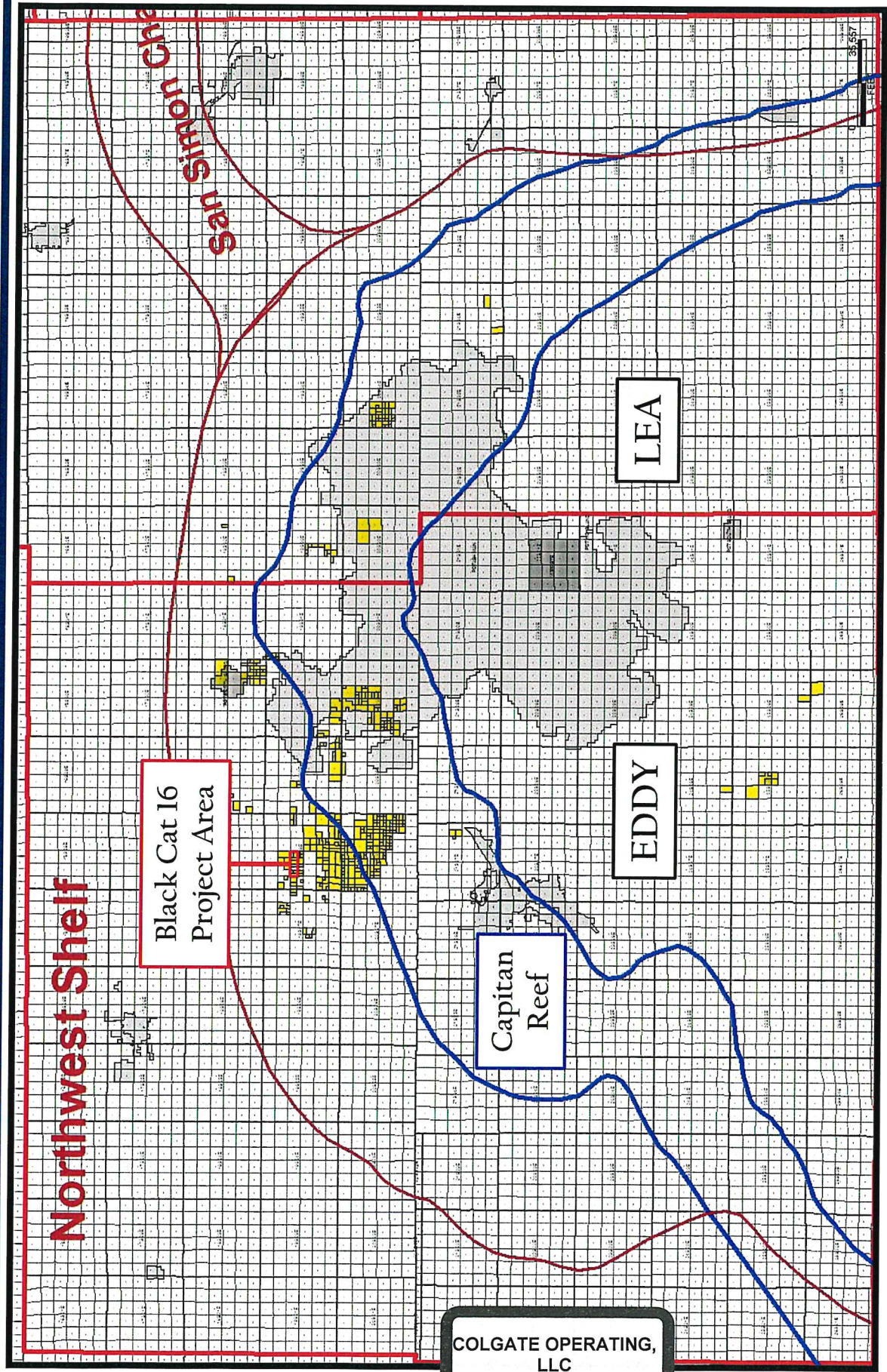
David DaGian

2/10/2022
Date

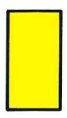
Regional Locator Map Black Cat 16 State Com



Exhibit B-1



COLGATE OPERATING, LLC
Case No. 22398
Exhibit B-1



Colgate Energy

Cross-Section Locator Map Black Cat I6 State Com 12IH & 13IH

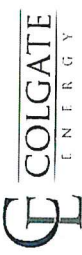
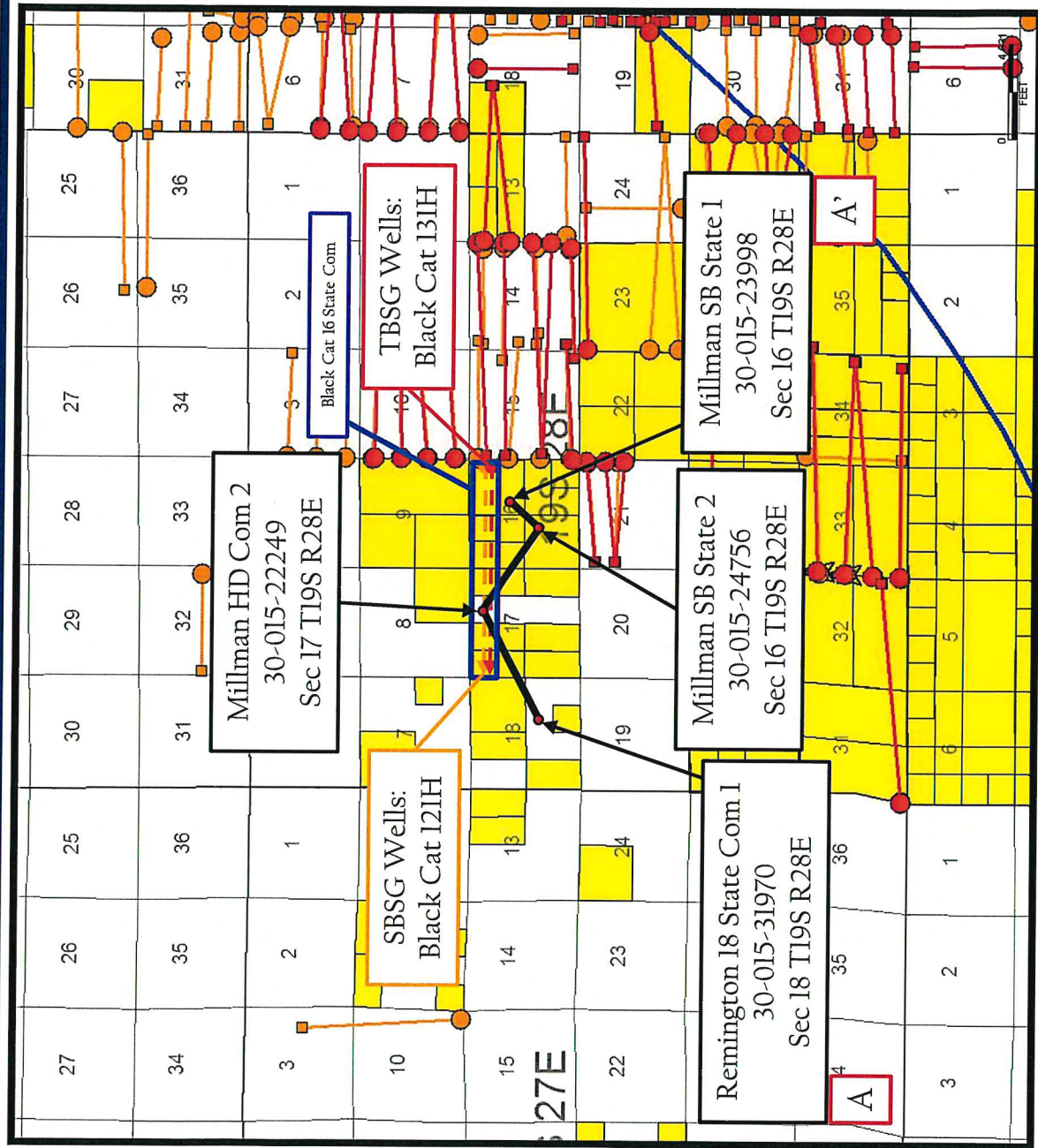


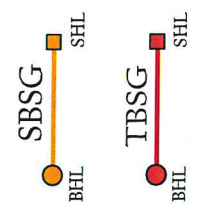
Exhibit B-2



Proposed Wells



Producing Wells



COLGATE OPERATING, LLC
Case No. 22398
Exhibit B-2

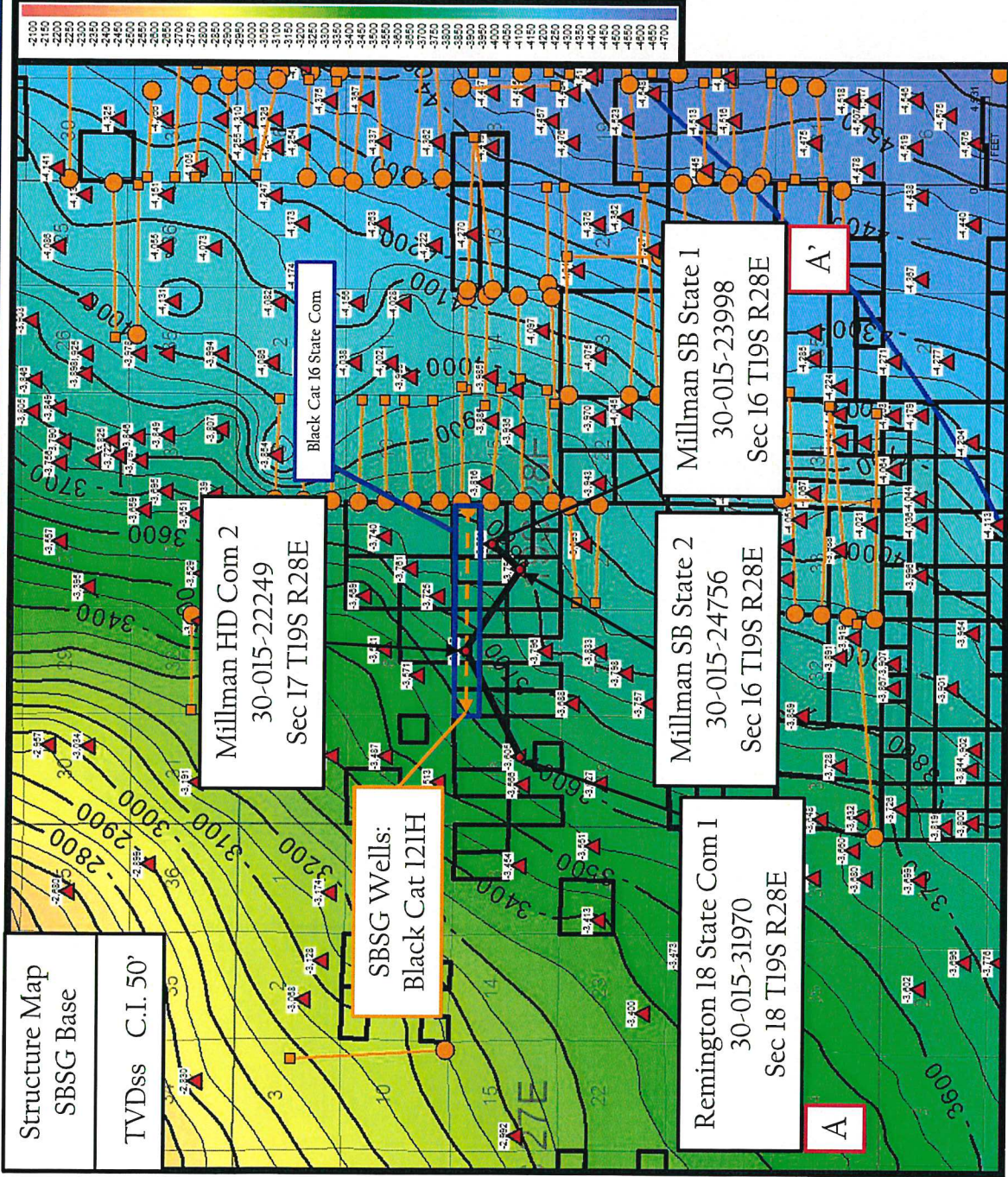
Colgate Energy

CONFIDENTIAL

Second Bone Spring - Structure Map

Black Cat 16 State Com

Exhibit B-3



Control Point
 TVDss

Proposed Wells
 SBSG SHL
 BHL

Producing Wells
 SBSG SHL
 BHL

COLGATE OPERATING, LLC
 Case No. 22398
 Exhibit B-3

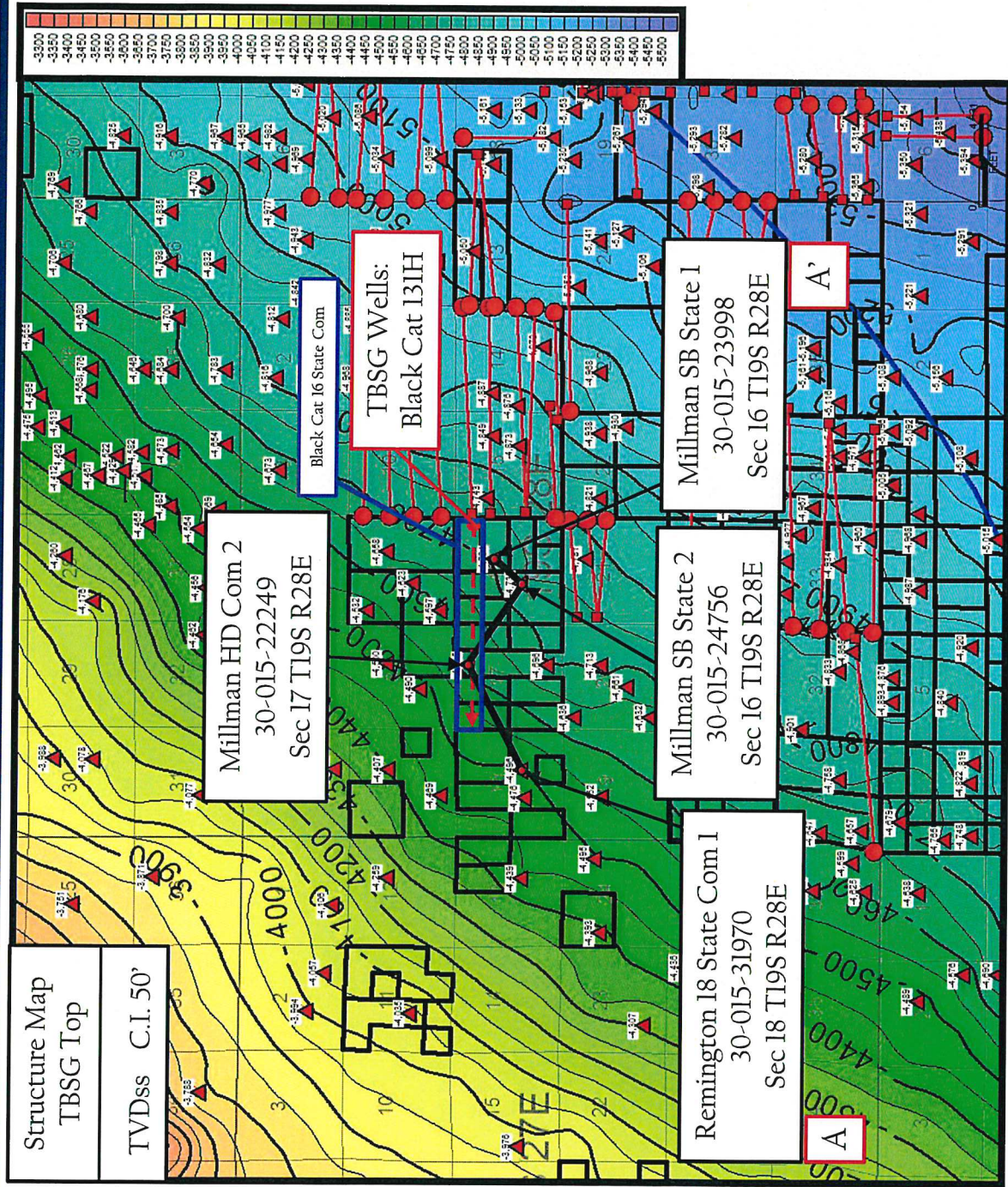
Colgate Energy

CONFIDENTIAL

Third Bone Spring - Structure Map

Black Cat 16 State Com

Exhibit B-4



Control Point
TVDss ▲

Proposed Wells
TBSG - - - - -
BHL ●

Producing Wells
TBSG ●
BHL ●

COLGATE OPERATING, LLC
Case No. 22398
Exhibit B-4

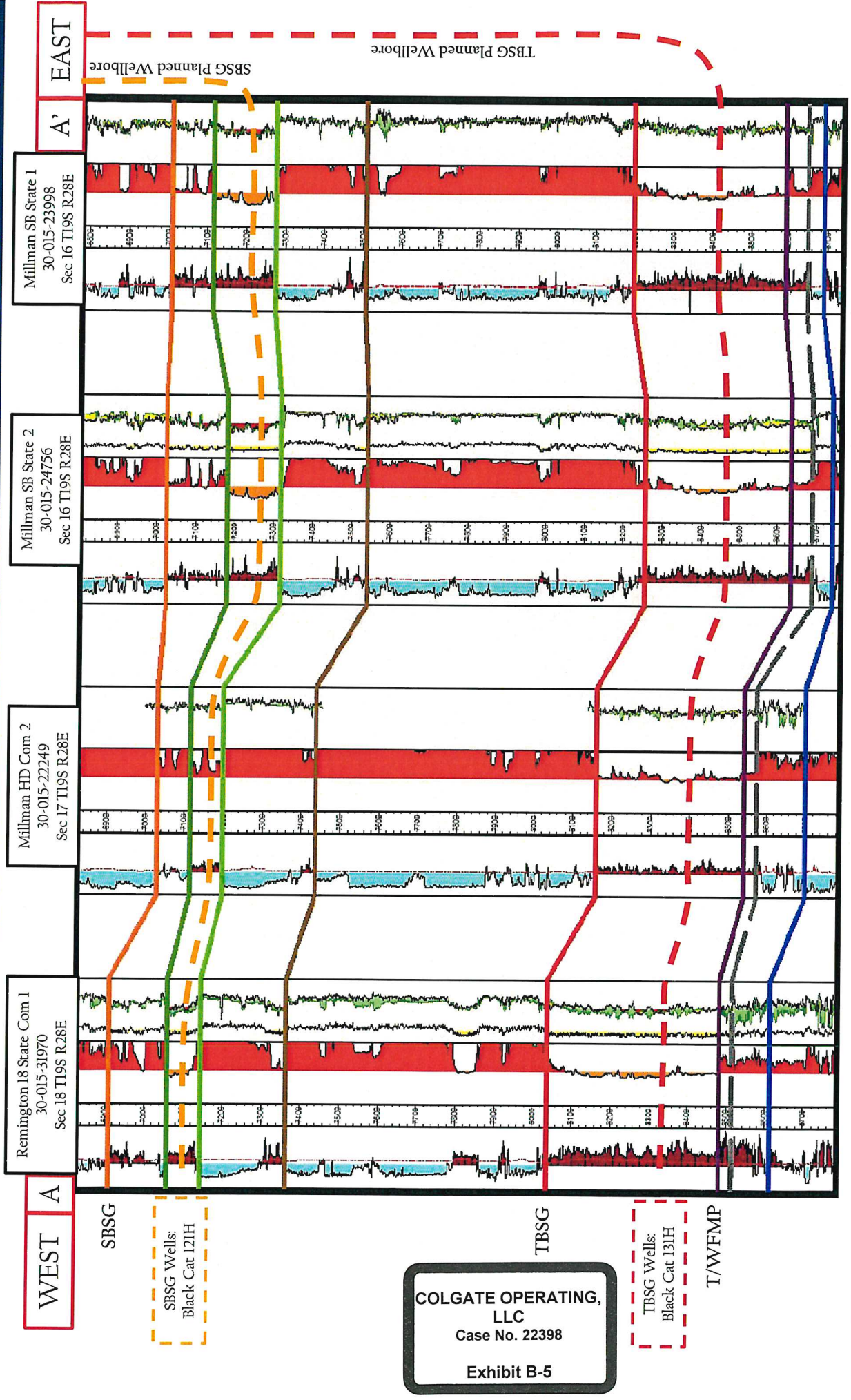
Colgate Energy

CONFIDENTIAL

Structural Cross-Section A-A' (SBSG and TBSG and TBSG)

Black Cat I6 State Com

Exhibit B-5



WEST A

A' EAST

SBSG

SBSG Wells:
Black Cat 121H

TBSG

TBSG Wells:
Black Cat 131H

T/W/FMP

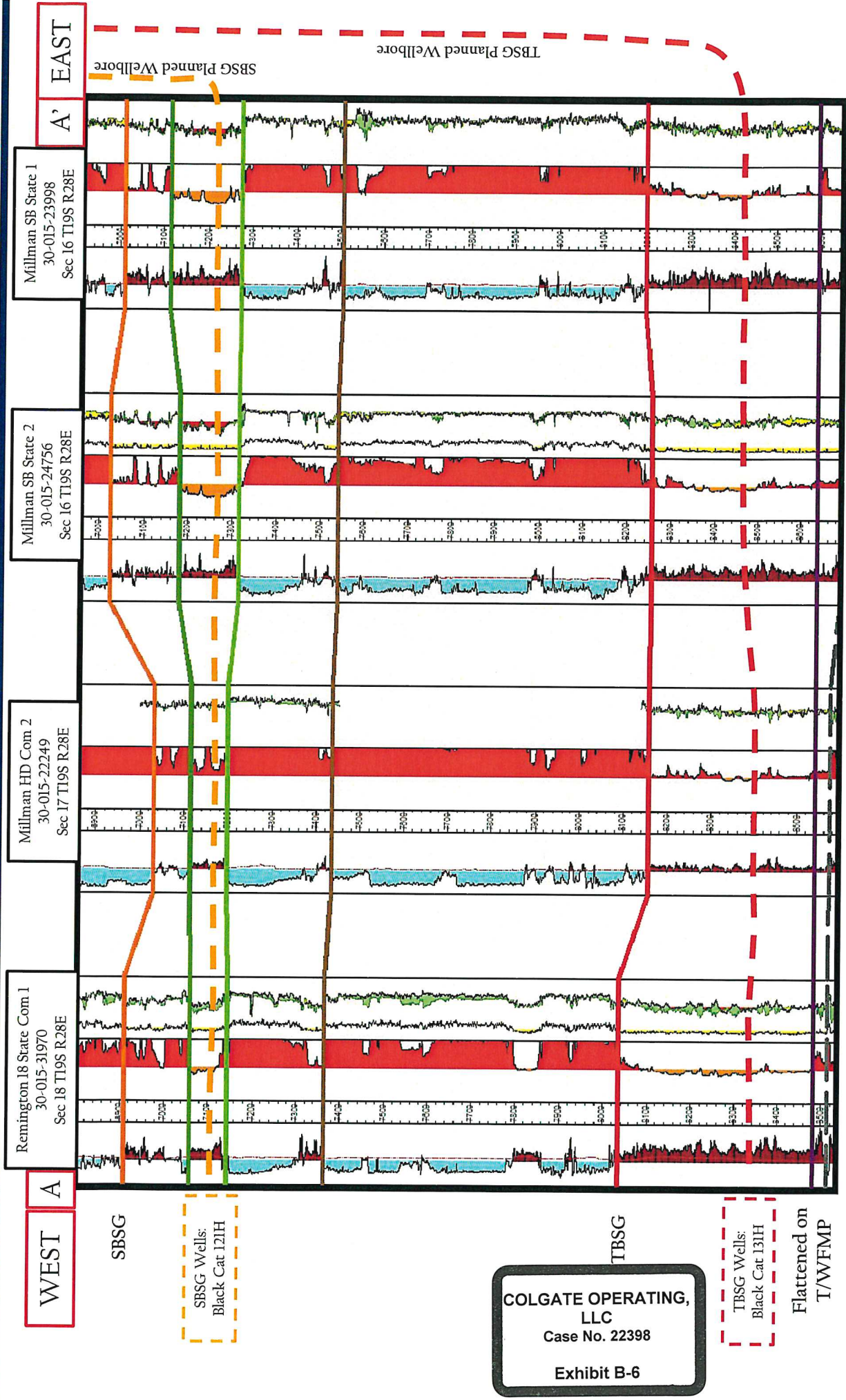
COLGATE OPERATING, LLC
Case No. 22398
Exhibit B-5

CONFIDENTIAL

Stratigraphic Cross-Section A-A' (SBSG and TBSG and TBSG)

Black Cat I6 State Com

Exhibit B-6



WEST A

SBSG

SBSG Wells:
Black Cat 121H

TBSG

TBSG Wells:
Black Cat 131H

Flattened on
T/WFMP

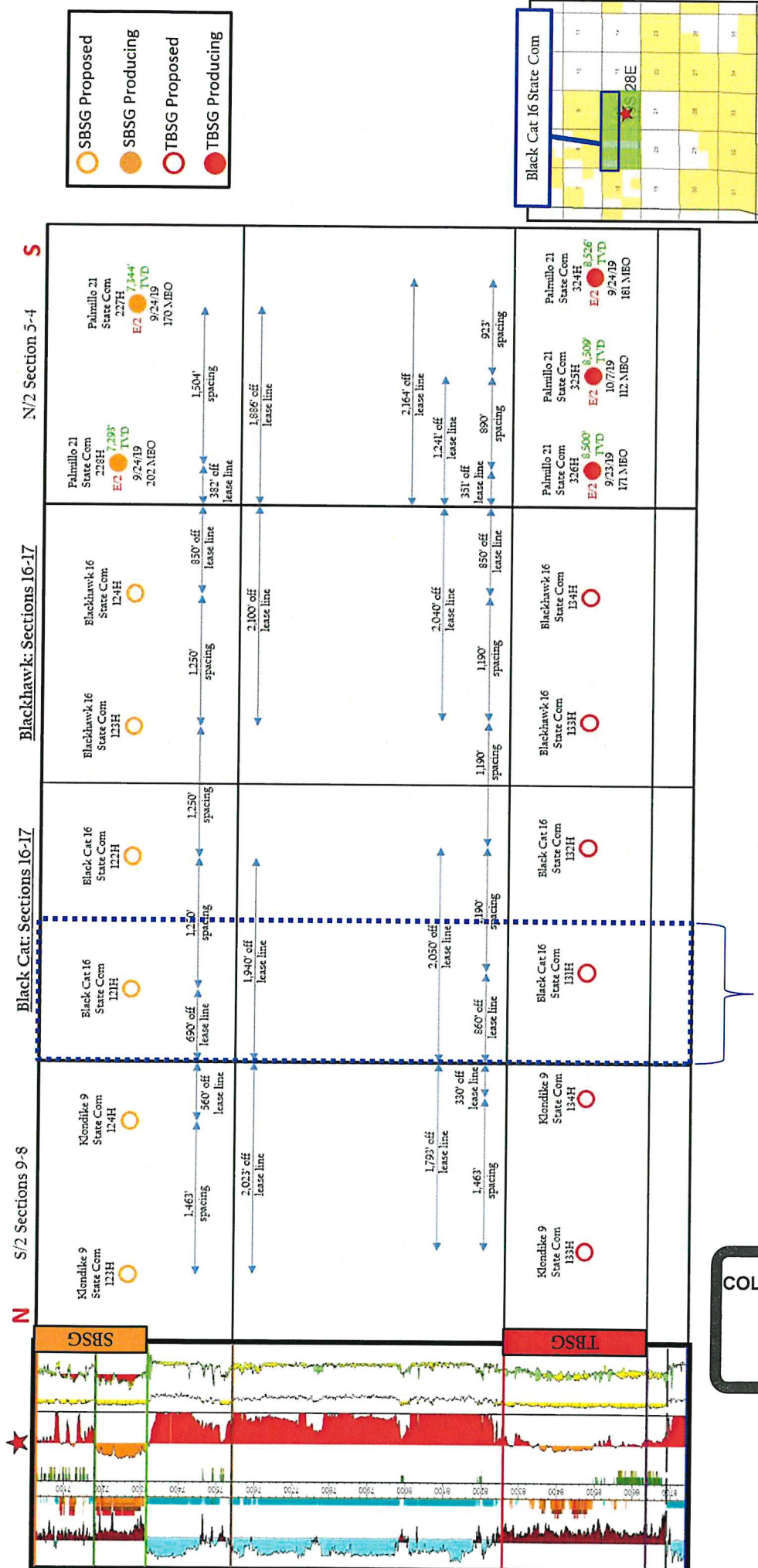
COLGATE OPERATING, LLC
Case No. 22398
Exhibit B-6

CONFIDENTIAL

Gun Barrel Development Plan (SBSG and TBSG) Black Cat 16 State Com



Exhibit B-7



COLGATE OPERATING, LLC
Case No. 22398
Exhibit B-7

Proposed Wells