

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

**APPLICATION OF COLGATE OPERATING LLC  
TO AMEND ORDER NO. R-21589  
EDDY COUNTY, NEW MEXICO**


**CASE NO. 22477  
ORDER NO. R-21589  
(Re-Open)**

**AMENDED<sup>1</sup> NOTICE OF FILING OF AFFIDAVIT OF PUBLICATION AND INTENT  
TO PRESENT THE SAME AT MARCH 3, 2022 HEARING**

Colgate Operating LLC (“Colgate”) hereby submits the attached “Affidavit of Publication” for filing in the above captioned matter. In preparing exhibits for the February 3, 2022, Colgate’s counsel realized that the certified mail report reflected that the postal service still had not delivered notice letters to some parties so Colgate went ahead and published notice of the case. At the February 3, 2022 hearing, Case No. 22477 was heard, and was continued for the limited purpose of allowing Colgate to perfect notice by publication. Colgate has now done so as the attached Affidavit of Publication demonstrates. Publication occurred on February 5, 2022, which is more than 10 business days before the March 3, 2022 hearing. Colgate intends to present the attached Affidavit of Publication at the March 3, 2022 hearing and, at that hearing, will request that it be filed as Exhibit B-4 in Case No. 22477.

Respectfully submitted,

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

By: 

Deana M. Bennett  
Earl E. DeBrine  
Jamie L. Allen  
500 Fourth Street NW, Suite 1000

<sup>1</sup> This Notice is amended only to include the attached Affidavit of Publication which was inadvertently omitted from the original filing.

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# Carlsbad Current Argus.

PART OF THE USA TODAY NETWORK

## Affidavit of Publication

Ad # 0005117766

This is not an invoice

MODRALL SPERLING  
POBOX 2168

ALBUQUERQUE, NM 87103

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:

02/05/2022

  
\_\_\_\_\_  
Legal Clerk

Subscribed and sworn before me this February 5, 2022:

  
\_\_\_\_\_  
State of WI, County of Brown  
NOTARY PUBLIC

1-7-25

My commission expires

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

Ad # 0005117766  
PO #: CASE NO. 22477  
# of Affidavits 1

This is not an invoice

CASE NO. 22477 (Re-Open): Application of Colgate Operating LLC to Amend Order No. R-21589, Eddy County, New Mexico. Notice to all affected parties, as well as their heirs and devisees, of Oxy USA, Inc.; Presbyterian Healthcare Foundation; Presbyterian Village North Foundation; Karen Johnston, SSP; Pecos Management, LP; Mary Overstreet a/k/a Mary Merritt; Laurance Merritt, SSP; Tim Lilley and wife, Tashina Lilley; Escondido Oil and Gas, LLC; BriLi, LLC; Mark Wilson Family Partnership; The Board of Regents Univ. Texas System; Ergodic Resources, LLC; Abuelo, LLC; Thomas A. Crow; Silverhair, LLC; Loco Hills Production Company LLC; Gayle Martin & Richard Lantz; Devon Energy Production Company, L.P.; Sabinal Energy Operating, LLC; Mexco Energy Corporation; Penroc Oil Corporation; Marathon Oil Permian; and Crown Oil Partners, VI, LLC of Colgate Operating, LLC's Application for compulsory pooling, Eddy County, New Mexico. The State of New Mexico through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. on **March 3, 2022** to consider this application. Due to state building closures during the COVID-19 Public Health Emergency, the hearing will be conducted remotely. You may access the instructions to appear at <http://www.emnrd.state.nm.us/OCD/documents/10-08OCDHearing.pdf> or under "OCD NOTICES" at <http://www.emnrd.state.nm.us/OCD/hearings.html>. Applicant seeks an order from the Oil Conservation Division for the limited purposes of amending Order No. R-21589 to allow for a one-year extension of time to commence drilling the initial well under the Order. The Division issued Order No. R-21589 on February 2, 2021, which designated Colgate as the operator of the unit and the **Bolander 32 State Fed Com 121H** and **Bolander 32 State Fed Com 131H** wells; and pooled uncommitted interest owners in a 320-acre, more or less, Bone Spring horizontal spacing unit comprised of the N/2 N/2 of Section 32 and N/2 N/2 of Section 31, Township 19 South, Range 29 East, NMPM, Eddy County, New Mexico. Said area is located approximately 19 miles southeast of Artesia, New Mexico.  
#5117766, Current Argus, Feb. 5, 2022

**Exhibit B-4**  
Colgate Case No. 22477