

**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. 22939**

**HEARING EXHIBITS**

Compulsory Pooling Checklist

Exhibit A	Self-Affirmed Statement of Travis Macha
A-1	Application & Proposed Notice of Hearing
A-2	C-102
A-3	Plat of Tracts, Tract Ownership, Pooled Parties, Unit Recapitulation
A-4	Sample Well Proposal Letter & AFE
A-5	Chronology of Contact
Exhibit B	Self-Affirmed Statement of David DaGian
B-1	Regional Locator Map
B-2	Cross-Section Map
B-3	Structure Map
B-4	Structural Cross-Section
B-5	Stratigraphic Cross-Section
B-6	Gunbarrel Schematic
Exhibit C	Self-Affirmed Statement of Dana S. Hardy
C-1	Sample Notice Letter to All Interested Parties

- C-2 Chart of Notice to All Interested Parties and Certified Mail Receipts
- C-3 Copies of Certified Mail Receipts and Returns
- C-4 Affidavit of Publication for July 14, 2022

# COMPULSORY POOLING APPLICATION CHECKLIST

## ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS

<b>Case No.:</b>	<b>22939</b>
<b>Hearing Date:</b>	<b>9/15/2022</b>
Applicant	Colgate Operating, LLC
Designated Operator & OGRID	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	None
Well Family	Wombat
<b>Formation/Pool</b>	
Formation Name(s) or Vertical Extent	Third Bone Spring
Primary Product (Oil or Gas)	Oil
Pooling this vertical extent	Third Bone Spring
Pool Name and Pool Code	Avalon; Bone Spring, East Pool (Code 3713)
Well Location Setback Rules	Statewide
Spacing Unit Size	160-acre
<b>Spacing Unit</b>	
Type (Horizontal/Vertical)	Horizontal
Size (Acres)	160-acre
Building Blocks	quarter-quarter
Orientation	East/West
Description: TRS/County	N/2 S/2 of Section 13, Township 20 South, Range 28 East, Eddy County
Standard Horizontal Well Spacing Unit (Y/N), If No, describe	Yes
<b>Other Situations</b>	
Depth Severance: Y/N. If yes, description	Yes, there is a depth severance in the Bone Spring Formation within the unit. See Exhibit A at Paragraph 7.
Proximity Tracts: If yes, description	No
Proximity Defining Well: if yes, description	
<b>Well(s)</b>	
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	Wombat 13 Federal Com 133H (API # pending) SHL: 2122' FSL & 315' FEL (Unit I), Section 13, T20S-R28E BHL: 2310' FSL & 10' FWL (Unit L), Section 13, T20S-R28E Completion Target: 3rd Bone Spring (Approx. 8987' TVD) Well Orientation: East to West
Horizontal Well First and Last Take Points	Exhibit A-2
Completion Target (Formation, TVD and MD)	Exhibit A-4
<b>AFE Capex and Operating Costs</b>	
Drilling Supervision/Month \$	\$8,000.00
Production Supervision/Month \$	\$800.00
Justification for Supervision Costs	Exhibit A
Requested Risk Charge	200%
<b>Notice of Hearing</b>	
Proposed Notice of Hearing	Exhibit A-1
Proof of Mailed Notice of Hearing (20 days before hearing)	Exhibit C-1, C-2, C-3

Proof of Published Notice of Hearing (10 days before hearing)	Exhibit C-4
<b>Ownership Determination</b>	
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	None
Ownership Depth Severance	Exhibit A, Paragraph 7; Exhibit A-3
<b>Joinder</b>	
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
<b>Geology</b>	
Summary (including special considerations)	Exhibit B
Spacing Unit Schematic	Exhibit B-1
Gunbarrel/Lateral Trajectory Schematic	Exhibit B-6
Well Orientation (with rationale)	Exhibit B
Target Formation	Exhibit B
HSU Cross Section	Exhibit B-3
Depth Severance Discussion	Exhibit B
<b>Forms, Figures and Tables</b>	
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-2
Structure Contour Map - Subsea Depth	Exhibit B-3
Cross Section Location Map (including wells)	Exhibit B-4
Cross Section (including Landing Zone)	Exhibit B-5
<b>Additional Information</b>	
<b>CERTIFICATION: I hereby certify that the information provided in this checklist is complete and accurate.</b>	
<b>Printed Name</b> (Attorney or Party Representative):	Dana S. Hardy
<b>Signed Name</b> (Attorney or Party Representative):	/s/ Dana S. Hardy
<b>Date:</b>	9/9/2022

**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. 22939**

**SELF-AFFIRMED STATEMENT  
OF TRAVIS MACHA**

1. I am a Senior Landman 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 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 Colgate’s 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. Colgate seeks an order pooling all uncommitted interests in the Third Bone Spring formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the N/2 S/2 of Section 13, Township 20 South, Range 28 East, Eddy County, New Mexico (“Unit”).

5. The Unit will be dedicated to the **Wombat 13 Fed Com 133H** well, which will be completed in the Avalon; Bone Spring, East Pool (Code 3713). The well will be horizontally drilled from a surface hole location in the NE/4 SE/4 (Unit I) of Section 13 to a bottom hole location in the NW/4 SW/4 (Unit L) of Section 13.

6. The completed interval of the Well will be orthodox.

Colgate Operating, LLC  
Case No. 22939  
Exhibit A

7. There is a depth severance in the Bone Spring Formation within the Unit. Accordingly, Colgate seeks to pool interests from the top of the Third Bone Spring formation to the base of the Bone Spring formation at a stratigraphic equivalent of approximately 7,645' TVD to 8,996' TVD as shown on the Charlie Chocolate 14 15 Fed Com #031H well log (API #30-015-43123).

8. **Exhibit A-2** contains the C-102 for the Well.

9. **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. There are no unlocatable parties.

10. **Exhibit A-4** contains a sample well proposal letter and AFEs sent to working interest owners for the Well. 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.

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

12. In my opinion, Colgate made a good-faith effort to reach voluntary joinder of uncommitted interests in the Well 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 Well is being drilled and \$800 per month while the Well is producing. These rates are fair and are comparable to the rates charged by Colgate and other operators in the vicinity.

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

15. 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.

16. I understand this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony 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 next to my electronic signature below.



\_\_\_\_\_  
Travis Macha

9/7/2022  
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. 22939**

**APPLICATION**

Pursuant to NMSA § 70-2-17, Colgate Operating, LLC (OGRID No. 371449) (“Applicant”) applies for an order pooling all uncommitted interests from the top of the Third Bone Spring Formation to the base of the Bone Spring Formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the N2/S2 of Section 13, Township 20 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 **Wombat 13 Federal Com 133H** well, which will be horizontally drilled from a surface hole location in the NE/4 SE/4 (Unit I) of Section 13 to a bottom hole location in the NW/4 SW/4 (Unit L) of Section 13.
3. The completed interval of the Well will be orthodox.
4. There is a depth severance in the Bone Spring Formation within the Unit. Accordingly, Applicant seeks to pool interests from the top of the Third Bone Spring Formation to the base of the Bone Spring Formation at a stratigraphic equivalent of approximately 7,645’ TVD to 8,966’ TVD as shown on the Charlie Chocolate 14 15 Federal Com #031H well log (API #30-015-43123).
5. Applicant has undertaken diligent, good-faith efforts to obtain voluntary agreements from all interest owners to participate in the drilling of the Well but has been unable to obtain voluntary agreements from all interest owners.

Colgate Operating, LLC  
Case No. 22939  
Exhibit A-1



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

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 interests in the Unit should be pooled and Applicant should be designated the operator of the Well and Unit.

WHEREFORE, Applicant requests this application be set for hearing on August 4, 2022, 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 Applicant as operator of the Unit and the Well to be drilled thereon;
- D. Authorizing Applicant to recover its costs of drilling, equipping and completing the Well;
- 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 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

Dana S. Hardy

Jaclyn M. McLean

P.O. Box 2068

Santa Fe, NM 87504-2068

Phone: (505) 982-4554

dhardy@hinklelawfirm.com

jmclean@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 from the top of the Third Bone Spring Formation to the base of the Bone Spring Formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the N2/S2 of Section 13, Township 20 South, Range 28 East, Eddy County, New Mexico ("Unit"). The Unit will be dedicated to the **Wombat 13 Federal Com 133H** well, which will be horizontally drilled from a surface hole location in the NE/4 SE/4 (Unit I) of Section 13 to a bottom hole location in the NW/4 SW/4 (Unit L) of Section 13. Also to be considered will be the cost of drilling and completing the Well and the allocation of the costs, the designation of Applicant as the operator of the Well, and a 200% charge for the risk involved in drilling and completing the Well. The Well is located approximately 10.2 miles northeast of Carlsbad, New Mexico.

**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

Exhibit A-2  
Form C-102  
Revised August 1, 2011  
Submit one copy to appropriate  
District Office

AMENDED REPORT

**WELL LOCATION AND ACREAGE DEDICATION PLAT**

<b>1 API Number</b>		<b>2 Pool Code</b> 3713		<b>3 Pool Name</b> Avalon; Bone Spring, East Pool	
<b>4 Property Code</b>		<b>5 Property Name</b> WOMBAT 13 FED			<b>6 Well Number</b> 133H
<b>7 OGRID No.</b> 371449		<b>8 Operator Name</b> COLGATE OPERATING, LLC			<b>9 Elevation</b> 3257'

**10 Surface Location**

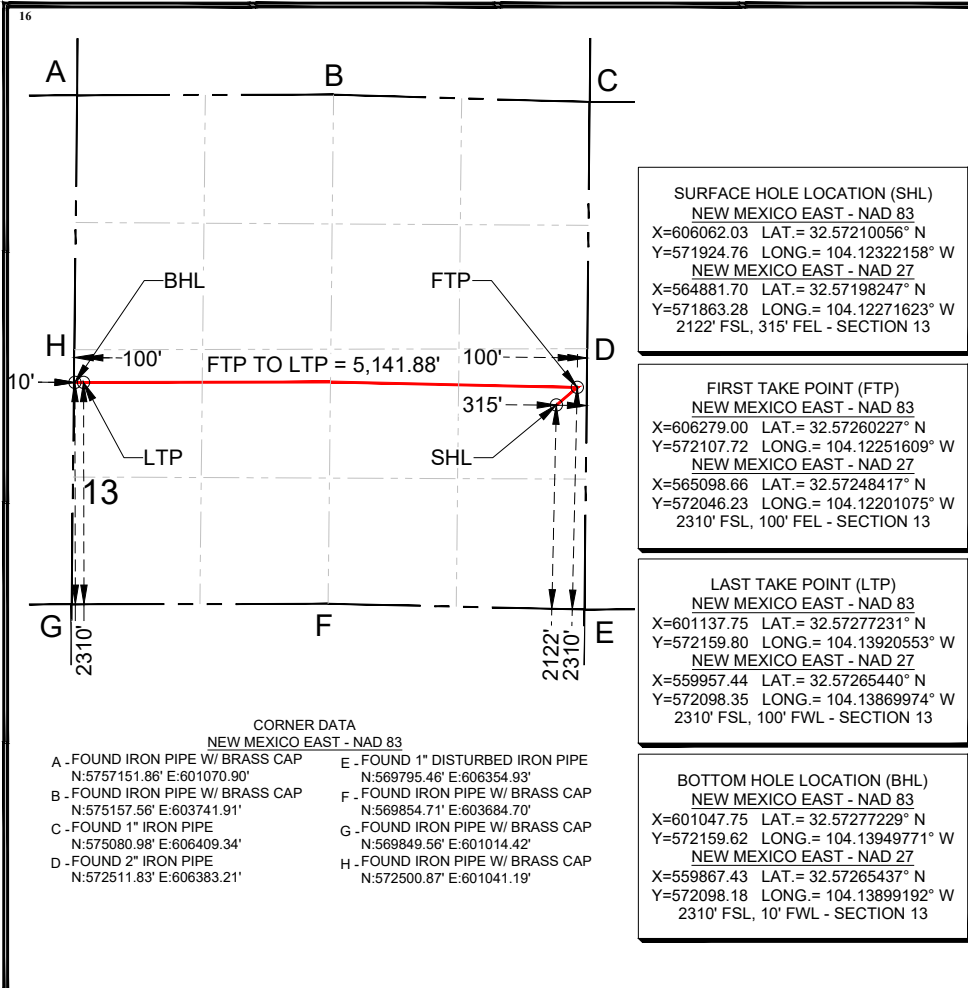
UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
I	13	20-S	28-E		2122'	SOUTH	315'	EAST	EDDY

**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
L	13	20-S	28-E		2310'	SOUTH	10'	WEST	EDDY

<b>12 Dedicated Acres</b> 160	<b>13 Joint or Infill</b>	<b>14 Consolidation Code</b>	<b>15 Order No.</b>
----------------------------------	---------------------------	------------------------------	---------------------

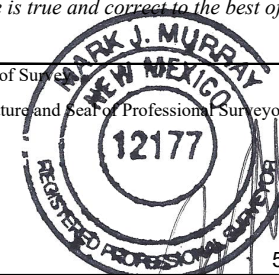
No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.



**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.

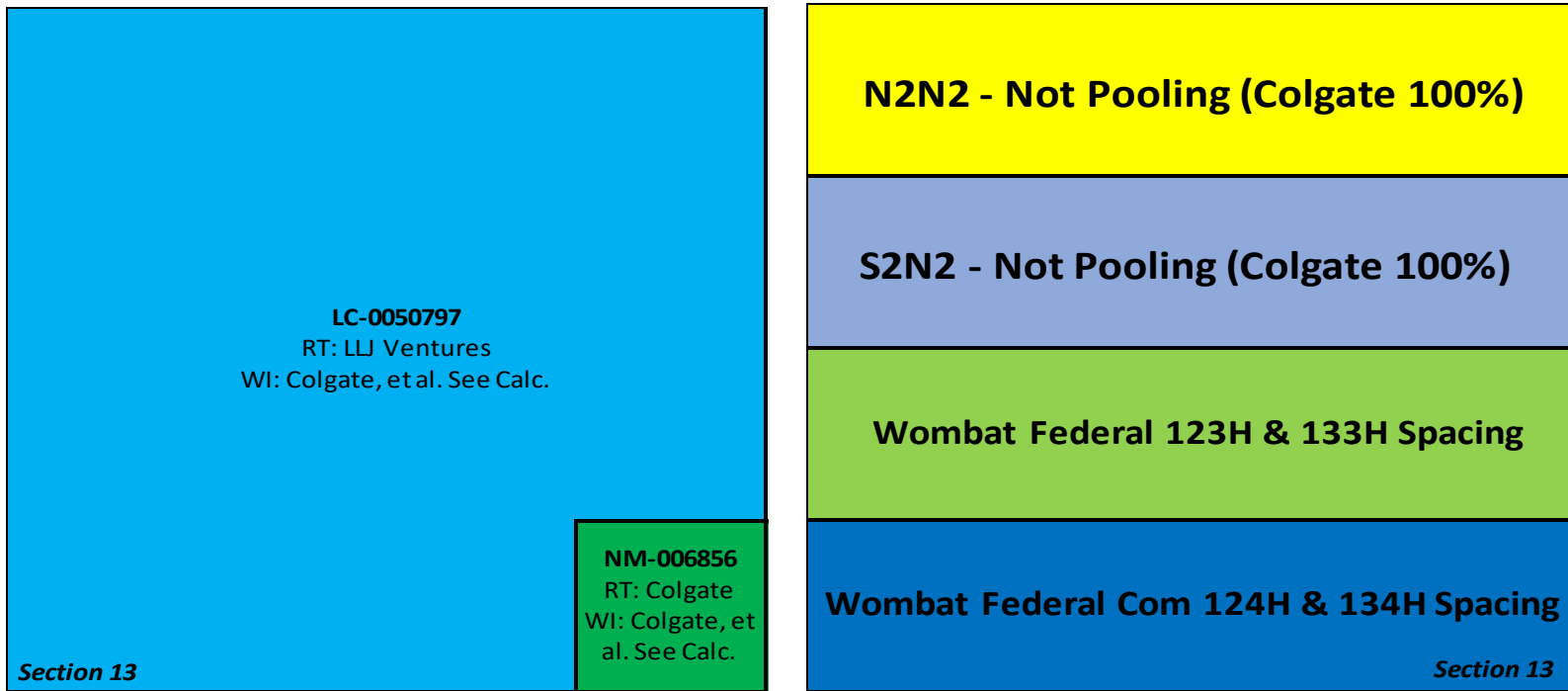
Signature \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name \_\_\_\_\_  
E-mail Address \_\_\_\_\_

**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 \_\_\_\_\_ 5/13/2022

**Land Exhibit: N2S2 - Wombat Fed Com 123H & 133H**

Section 13: N2S2, T20S-R28E, Eddy Co., NM



Owner	Pooling?	Documents Sent			Notes
		Proposal	JOA	Com Agmt	
Colgate Production, LLC	N/A	N/A	N/A	N/A	
Javelina Partners	N	Y	Y	Y	Executed All Docs
Lindy's Living Trust	Y	Y	Y	Y	
Delmar Hudson Lewis LT	Y	Y	Y	Y	
Zorro Partners, Ltd.	N	Y	Y	Y	Executed All Docs
Ard Oil, Ltd	Y	Y	Y	Y	Signed JO A but not Com Agreements
Josephine Hudson Trust	Y	Y	Y	Y	
LLJ Ventures	Y	N/A	N/A	Y	Record Title Only
SBI West Texas I LLC	Y	Y	Y	Y	

\*Please Note Oxy USA, Inc. has assigned all rights and interest unto Colgate Production, LLC. Record title transfers are processing with the BLM

Leasehold Ownership				
Owner	Sec 13: NESW, N2SE, SWSE, S2SW	Sec 13: NWSW (1,200'-7,900')	Sec 13: NWSW (Below 7,900')	Sec 13 SESE
Colgate Production, LLC	85.416667%	30.729167%	85.416667%	100.000000%
Javelina Partners	3.949666%	3.949666%	3.949666%	0.000000%
Lindy's Living Trust	3.190100%	3.190100%	3.190100%	0.000000%
Delmar Hudson Lewis LT	3.190100%	3.190100%	3.190100%	0.000000%
Zorro Partners, Ltd.	2.126733%	2.126733%	2.126733%	0.000000%
Ard Oil, Ltd	1.595050%	1.595050%	1.595050%	0.000000%
Josephine Hudson Trust	0.531684%	0.531684%	0.531684%	0.000000%
SBI West Texas I LLC	0.000000%	54.687500%	0.000000%	0.000000%

Unit Capitulation (1,200'-7,900') (2nd Bone)	
Owner	Working Interest
Colgate Production, LLC	71.7447920%
Javelina Partners	3.949666%
Lindy's Living Trust	3.190100%
Delmar Hudson Lewis LT	3.190100%
Zorro Partners, Ltd.	2.126733%
Ard Oil, Ltd	1.595050%
Josephine Hudson Trust	0.531684%
SBI West Texas I LLC	13.6718750%
<b>Total</b>	<b>100.0000000%</b>

Unit Capitulation (Below 7,900') (3rd Bone)	
Owner	Working Interest
Colgate Production, LLC	85.416667%
Javelina Partners	3.949666%
Lindy's Living Trust	3.190100%
Delmar Hudson Lewis LT	3.190100%
Zorro Partners, Ltd.	2.126733%
Ard Oil, Ltd	1.595050%
Josephine Hudson Trust	0.531684%
SBI West Texas I LLC	0.000000%
<b>Total</b>	<b>100.0000000%</b>

Colgate Operating, LLC  
Case No. 22939  
Exhibit A-3



May 27, 2022

*Via Certified Mail*

Jennings Production Co. Ltd.  
P.O. Box 670326  
Dallas, TX 75367

**RE: Wombat 13 Federal & Federal Com – Well Proposals**  
Section 13: S/2, T20S-28E, Bone Spring & Wolfcamp Formations  
Eddy County, New Mexico

To Whom It May Concern:

Colgate Operating, LLC, as operator for Colgate Production, LLC (“Colgate”), hereby proposes the drilling and completion of the following eight (6) wells, the Wombat 13 Federal Com 123H, 124H, 133H, 134H, 203H, & 204H from two well pads at the following approximate locations within Township 20 South, Range 28 East:

- 1. Wombat 13 Federal Com 123H – South Pad**  
SHL: 370’ FEL & 2,152’ FSL or at a legal location within Unit I of Section 24  
BHL: 10’ FWL & 1,980’ FSL of Section 13  
FTP: 100’ FEL & 1,980’ FSL of Section 13  
LTP: 100’ FWL & 1,980’ FSL of Section 13  
TVD: 7,859’  
TMD: Approximately 13,144’  
Proration Unit: N2S2 of Section 13  
Targeted Interval: 2<sup>nd</sup> Bone Spring  
Total Cost: See attached AFE
  
- 2. Wombat 13 Federal Com 124H – South Pad**  
SHL: 340’ FEL & 2,152’ FSL or at a legal location within Unit I of Section 24  
BHL: 10’ FWL & 660’ FSL of Section 13  
FTP: 100’ FEL & 660’ FSL of Section 13  
LTP: 100’ FWL & 660’ FSL of Section 13  
TVD: 7,858’  
TMD: Approximately 13,143’  
Proration Unit: S2S2 of Section 13  
Targeted Interval: 2<sup>nd</sup> Bone Spring  
Total Cost: See attached AFE

300 N. Marienfeld St., Suite 1000, Midland, Texas 79701  
P: (432) 695-4222 | F: (432) 695-4063  
www.ColgateEnergy.com

Colgate Operating, LLC  
Case No. 22939  
Exhibit A-4

Wombat 13 Federal Com Well Proposal

- 3. Wombat 13 Federal Com 133H – South Pad**  
SHL: 310' FEL & 2,152' FSL or at a legal location within Unit I of Section 24  
BHL: 10' FWL & 2,310' FSL of Section 13  
FTP: 100' FEL & 2,310' FSL of Section 13  
LTP: 100' FWL & 2,310' FSL of Section 13  
TVD: 8,987'  
TMD: Approximately 14,272'  
Proration Unit: N2S2 of Section 13  
Targeted Interval: 3<sup>rd</sup> Bone Spring  
Total Cost: See attached AFE
- 4. Wombat 13 Federal Com 134H – South Pad**  
SHL: 280' FEL & 2,152' FSL or at a legal location within Unit I of Section 24  
BHL: 10' FWL & 990' FSL of Section 13  
FTP: 100' FEL & 990' FSL of Section 13  
LTP: 100' FWL & 990' FSL of Section 13  
TVD: 8,988'  
TMD: Approximately 14,273'  
Proration Unit: S2S2 of Section 13  
Targeted Interval: 3<sup>rd</sup> Bone Spring  
Total Cost: See attached AFE
- 5. Wombat 13 Federal Com 203H – South Pad**  
SHL: 250' FEL & 2,152' FSL or at a legal location within Unit I of Section 24  
BHL: 10' FWL & 1,650' FSL of Section 13  
FTP: 100' FEL & 1,650' FSL of Section 13  
LTP: 100' FWL & 1,650' FSL of Section 13  
TVD: 9,259'  
TMD: Approximately 14,544'  
Proration Unit: N2S2 of Section 13  
Targeted Interval: Wolfcamp XY  
Total Cost: See attached AFE
- 6. Wombat 13 Federal Com 204H – South Pad**  
SHL: 220' FEL & 2,152' FSL or at a legal location within Unit I of Section 24  
BHL: 10' FWL & 330' FSL of Section 13  
FTP: 100' FEL & 330' FSL of Section 13  
LTP: 100' FWL & 330' FSL of Section 13  
TVD: 9,260'  
TMD: Approximately 14,545'  
Proration Unit: S2S2 of Section 13  
Targeted Interval: Wolfcamp XY  
Total Cost: See attached AFE

Wombat 13 Federal Com Well Proposal

The locations, TVDs, and targets are approximate and subject to change dependent 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 is enclosed. The Operating Agreement has the following general provisions:

- 100%/300%/300% 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.

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

Thank you for your time and consideration, if you have any questions at all, please don't hesitate to contact me at 432.400.1037 or by email at [tmacha@colgateenergy.com](mailto:tmacha@colgateenergy.com).

Respectfully,



Travis Macha  
Senior Landman

*Enclosures*

**Elections on next page**



Wombat 13 Federal Com Well Proposal

<b>Well Elections:</b> <i>(Please indicate your responses in the spaces below)</i>		
<b>Well(s)</b>	<b>Elect to Participate</b>	<b>Elect to <u>NOT</u> Participate</b>
<b>Wombat 13 Federal Com 123H</b>		
<b>Wombat 13 Federal Com 124H</b>		
<b>Wombat 13 Federal Com 133H</b>		
<b>Wombat 13 Federal Com 134H</b>		
<b>Wombat 13 Federal Com 203H</b>		
<b>Wombat 13 Federal Com 204H</b>		

Company Name (If Applicable):

\_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Wombat 13 Federal Com Well Proposal

**Participate / Rejection Declaration**

Please return this page to Colgate by the date specified in the letter, signed indicating your election to either participate in or reject this insurance program. If you reject the insurance coverage arranged by Colgate, then, to the extent that Colgate has an obligation to secure any such insurance on your behalf under any applicable agreements or otherwise, Colgate will be relieved of such obligation, and Colgate will assume that you maintain appropriate levels of insurance and will provide a current Certificate of Insurance upon request. If you fail to make an election within 30 days from receipt of this notice, you will be deemed a participant in the program as detailed on the attached and billed for your percentage participation as such.

- I hereby elect to participate in the insurance coverage arranged by Colgate Operating, LLC, and understand that I will be charged for such participation.
- I hereby elect to reject the insurance coverage arranged by Colgate Operating, LLC.

Agreed this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by:

*Company Name (If Applicable):*

\_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

### Colgate Energy

300 N. Mariefeld St., Ste. 1000 Midland, TX 79701  
 Phone (432) 695-4222 • Fax (432) 695-4063

#### ESTIMATE OF COSTS AND AUTHORIZATION FOR EXPENDITURE

DATE:	4/26/2022	AFE NO.:	0
WELL NAME:	Wombat 13 Federal Com 133H	FIELD:	Old Millman Ranch; BONE SPRING
LOCATION:	Section 13, Block T20S-R28E	MD/TVD:	14,272' MD / 8,987' TVD
COUNTY/STATE:	Eddy County, New Mexico	LATERAL LENGTH:	5,150
Colgate WI:		DRILLING DAYS:	20.4
GEOLOGIC TARGET:	TBSG	COMPLETION DAYS:	13
REMARKS:	Drill a horizontal Bone Spring well and complete with 44 stages. AFE includes drilling, completions, flowback and initial AL install cost		

INTANGIBLE COSTS	DRILLING COSTS	COMPLETION COSTS	PRODUCTION COSTS	TOTAL COSTS
1 Land/ Legal/ Regulatory	\$ 42,500	\$ -	\$ -	\$ 42,500
2 Location, Surveys & Damages	207,601	13,000	10,000	230,601
4 Freight/ Transportation	32,330	30,250	-	62,580
5 Rental - Surface Equipment	84,757	121,000	6,120	211,877
6 Rental - Downhole Equipment	125,398	35,613	-	161,011
7 Rental - Living Quarters	34,184	37,450	-	71,634
10 Directional Drilling, Surveys	273,024	-	-	273,024
11 Drilling	568,118	-	-	568,118
12 Drill Bits	72,928	-	-	72,928
13 Fuel & Power	142,742	272,124	-	414,866
14 Cementing & Float Equip	188,192	-	-	188,192
15 Completion Unit, Swab, CTU	-	-	12,000	12,000
16 Perforating, Wireline, Slickline	-	152,275	18,000	170,275
17 High Pressure Pump Truck	-	53,900	-	53,900
18 Completion Unit, Swab, CTU	-	92,225	-	92,225
20 Mud Circulation System	78,062	-	-	78,062
21 Mud Logging	13,931	-	-	13,931
22 Logging/ Formation Evaluation	5,520	6,000	-	11,520
23 Mud & Chemicals	93,197	176,082	-	269,279
24 Water	42,930	268,526	-	311,456
25 Stimulation	-	319,405	-	319,405
26 Stimulation Flowback & Disp	-	99,125	-	99,125
28 Mud/ Wastewater Disposal	147,022	38,000	-	185,022
30 Rig Supervision/ Engineering	90,754	75,075	4,800	170,629
32 Drlg & Completion Overhead	7,875	-	-	7,875
35 Labor	117,766	35,000	20,000	172,766
54 Proppant	-	478,863	-	478,863
95 Insurance	7,225	-	-	7,225
97 Contingency	-	9,582	7,092	16,674
99 Plugging & Abandonment	-	-	-	-
<b>TOTAL INTANGIBLES &gt;</b>	<b>2,376,055</b>	<b>2,313,494</b>	<b>78,012</b>	<b>4,767,562</b>

TANGIBLE COSTS	DRILLING COSTS	COMPLETION COSTS	PRODUCTION COSTS	TOTAL COSTS
60 Surface Casing	\$ 60,309	\$ -	\$ -	\$ 60,309
61 Intermediate Casing	73,075	-	-	73,075
62 Drilling Liner	131,358	-	-	131,358
63 Production Casing	360,253	-	-	360,253
64 Production Liner	-	-	-	-
65 Tubing	-	-	55,000	55,000
66 Wellhead	68,900	-	51,200	120,100
67 Packers, Liner Hangers	10,600	-	7,500	18,100
68 Tanks	-	-	16,500	16,500
69 Production Vessels	-	-	-	-
70 Flow Lines	-	-	12,500	12,500
71 Rod string	-	-	-	-
72 Artificial Lift Equipment	-	-	40,000	40,000
73 Compressor	-	-	42,500	42,500
74 Installation Costs	-	-	-	-
75 Surface Pumps	-	-	5,000	5,000
76 Downhole Pumps	-	-	-	-
77 Measurement & Meter Installation	-	-	21,000	21,000
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	-	-	55,000	55,000
85 Communications/ SCADA	-	-	-	-
86 Instrumentation/ Safety	-	-	-	-
<b>TOTAL TANGIBLES &gt;</b>	<b>704,495</b>	<b>0</b>	<b>306,200</b>	<b>1,010,695</b>
<b>TOTAL COSTS &gt;</b>	<b>3,080,550</b>	<b>2,313,494</b>	<b>384,212</b>	<b>5,778,257</b>

PREPARED BY Colgate Energy:

Drilling Engineer:	SS/RM/PS
Completions Engineer:	ML/BA
Production Engineer:	Levi Harris

Colgate Energy APPROVAL:

Co-CEO	_____	Co-CEO	_____	VP - Operations	_____
	WH		JW		CRM
VP - Land & Legal	_____	VP - Geosciences	_____		
	BG		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 construed as ceilings on any specific item or the total cost of the project. Tubing installation approved 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, curative, regulatory, brokerage 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 billed 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.



**Wombat – Chronology of Communication**

May 27, 2022 – Proposal to all known parties sent

June 10, 2022-August 5, 2022 – Correspondence and offer from Colgate to Delmar Hudson Lewis Living Trust (last correspondence from Colgate, no acceptance from Delmar)

July 18, 2022 – Proposal sent to SBI West Texas I LLC

July 2022 – Phone call with SBI conferring on their interest as depth limited

July 15 – August 17, 2022 – Correspondence, offer, acceptance, and assignment of interest from Jennings Production Company to Colgate Production, LLC

Colgate Operating, LLC  
Case No. 22939  
Exhibit A-5

300 N. Marienfeld St., Suite 1000, Midland, Texas 79701  
P: (432) 695-4222 | F: (432) 695-4063  
[www.ColgateEnergy.com](http://www.ColgateEnergy.com)

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- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

*Wombat Proposal*  
Postmark Here

Post Office

\$

To

\$

Street

State

SBI West Texas I LLC  
 6702 Broadway  
 Galveston, TX 77554

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7021 2720 0001 2312 5445

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  - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*, and attach it to your mailpiece.
  - Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
  - Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
  - Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

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Thunderbolt Petroleum  
 PO Box 10523  
 Midland, TX 79711



9590 9402 7436 2055 8448 28

2. Article Number (Transfer from service label)

7021 0950 0001 8341 7570

A. Signature

X H. Lee

- Agent
- Addressee

B. Received by (Printed Name)

Heather Lee

C. Date of Delivery

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

3. Service Type

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- Mail
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United States  
Postal Service

*Wombat*

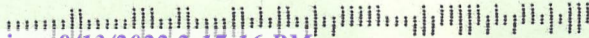
• Sender: Please print your name, address, and ZIP+4® in this box•

Colgate Operating, LLC  
300 N. Marienfeld St., Ste. 1000  
Midland, TX 79701  
Attn: Jordan Ireton



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A. Signature

X *Leave for Jennings*

- Agent
- Addressee

B. Received by (Printed Name)

*THORNTON*

C. Date of Delivery

*6/6/22*

1. Article Addressed to:

Jennings Production Co. Ltd.  
 P.O. Box 670326  
 Dallas, TX 75367

D. Is delivery address different from item 1?

- Yes
- No



9590 9402 7436 2055 8448 42

2. Article Number (Transfer from service label)

7021 0950 0001 8341 7594

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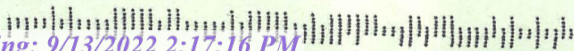
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Midland, TX 79701  
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1. Article Addressed to:

**LLJ Ventures, LLC**  
**PO Box 3188**  
**Roswell, NM 88202-3188**



9590 9402 7436 2055 8447 74

2. Article Number (Transfer from service label)

7021 0950 0001 4301 751 0

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

*[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

*MARK L...*

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

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Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Insured Mail

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Signature Confirmation™

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Mail Restricted Delivery

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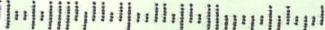
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Colgate Operating, LLC  
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Midland, TX 79701  
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*Wombat*

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1. Article Addressed to:

Javelina Partners  
 616 Texas Street  
 Fort Worth, TX 76102



9590 9402 7436 2055 8447 67

2. Article Number (Transfer from service label)

A. Signature

X *Suzanne Box*

Agent

Addressee

B. Received by (Printed Name)

*Suzanne Box*

C. Date of Delivery

*6/2/22*

D. Is delivery address different from item 1? If YES, enter delivery address below:

Yes

No

3. Service Type

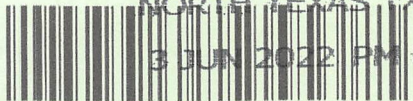
- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
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NORTH TEXAS TX 750

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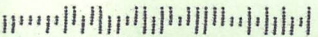
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1. Article Addressed to:

Zorro Partners, Ltd.  
 616 Texas Street  
 Fort Worth, TX 76102



9590 9402 7436 2055 8447 81

2. Article Number (Transfer from service label)

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A. Signature

X *Suzanne Box*

- Agent
- Addressee

B. Received by (Printed Name)

*Suzanne Box*

C. Date of Delivery

*6/2/02*

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

- Yes
- No

3. Service Type

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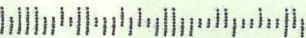
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1. Article Addressed to:

Lindy's Living Trust  
 215 West Bandera Rd, Ste 114-620  
 Boerne, TX 78006



9590 9402 7436 2055 8448 11

2. Article Number (Transfer from service label)

7021 0950 0001 8347 7563

A. Signature

*[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

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
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- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail

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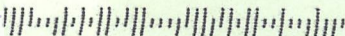
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Colgate Operating, LLC  
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Midland, TX 79701  
Attn: Jordan Ireton

*Wumbat*

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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. 22939

**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 Wombat 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 path for the proposed Wombat 13 Fed Com 133H well (“Well”) is 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 wells name and a black line in proximity to the proposed well.

5. **Exhibit B-3** 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 Wombat 13 Fed Com 133H proposed 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.

6. **Exhibit B-4** identifies three 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 the Third Bone Spring Well. 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 Well is the Third Bone Spring formation, which is consistent across the units. The approximate well-path for the proposed Well is indicated by dashed lines to be drilled from east to west across the units.

7. **Exhibit B-5** is a stratigraphic cross-section from A to A' using the representative wells identified on **Exhibit B-4**. 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 Well is labeled on the exhibit. The approximate well-path for the proposed well 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.

8. **Exhibit B-6** is a gun barrel diagram that shows the Wombat 13 Fed Com 133H well in the Third Bone Spring formation.

9. In my opinion, a laydown orientation for the Well 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.

10. 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 Well.

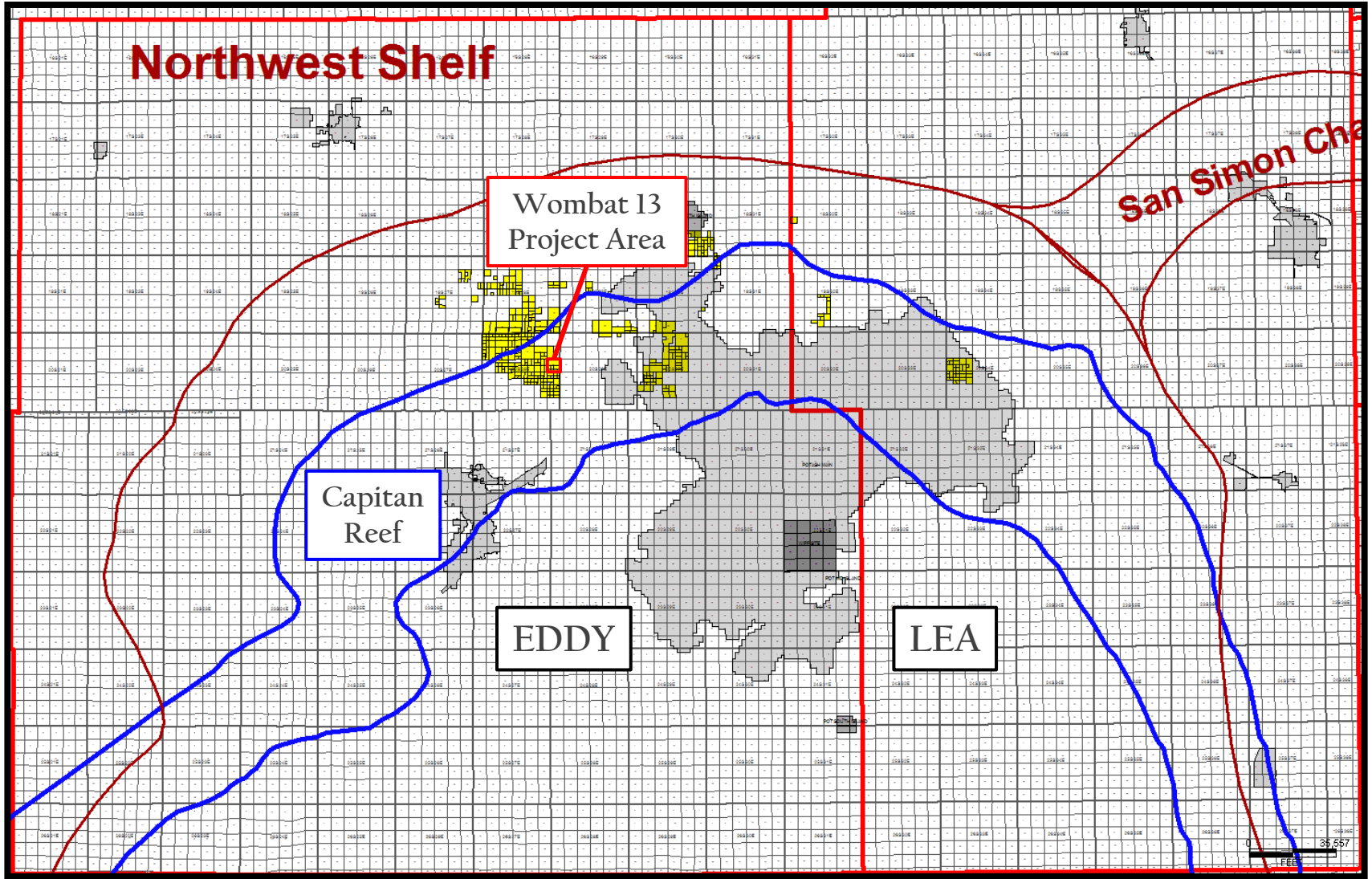
11. In my opinion, the granting of Colgate's application will serve the interests of conservation, the protection of correlative rights, and the prevention of waste.

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

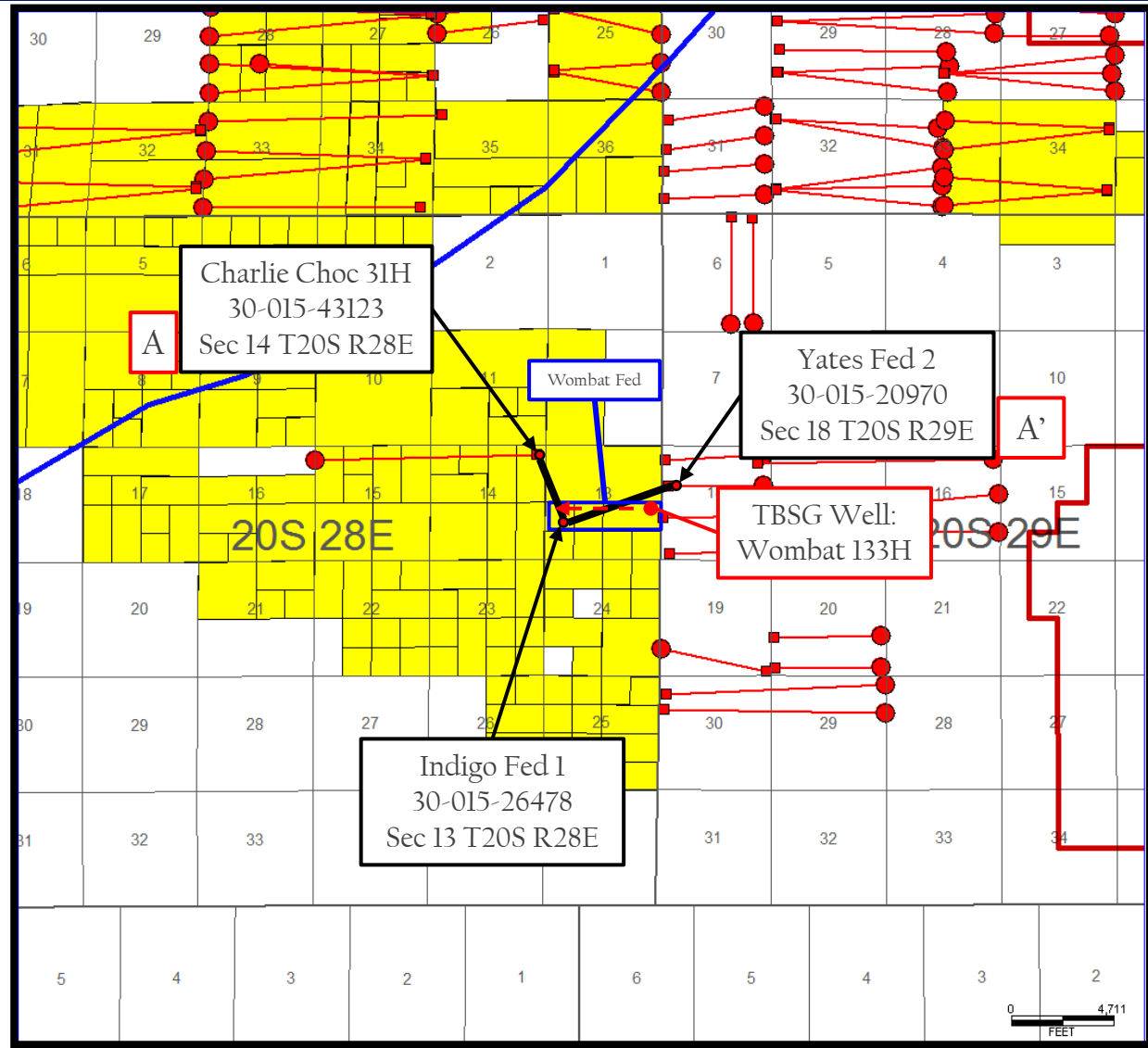
13. I understand this Self-Affirmed Statement will be used as written testimony in this case. I affirm my testimony in paragraphs 1 through 12 above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date identified next to my signature below.

  
\_\_\_\_\_  
David DaGian

9/8/22  
\_\_\_\_\_  
Date



Colgate Energy



Proposed Well

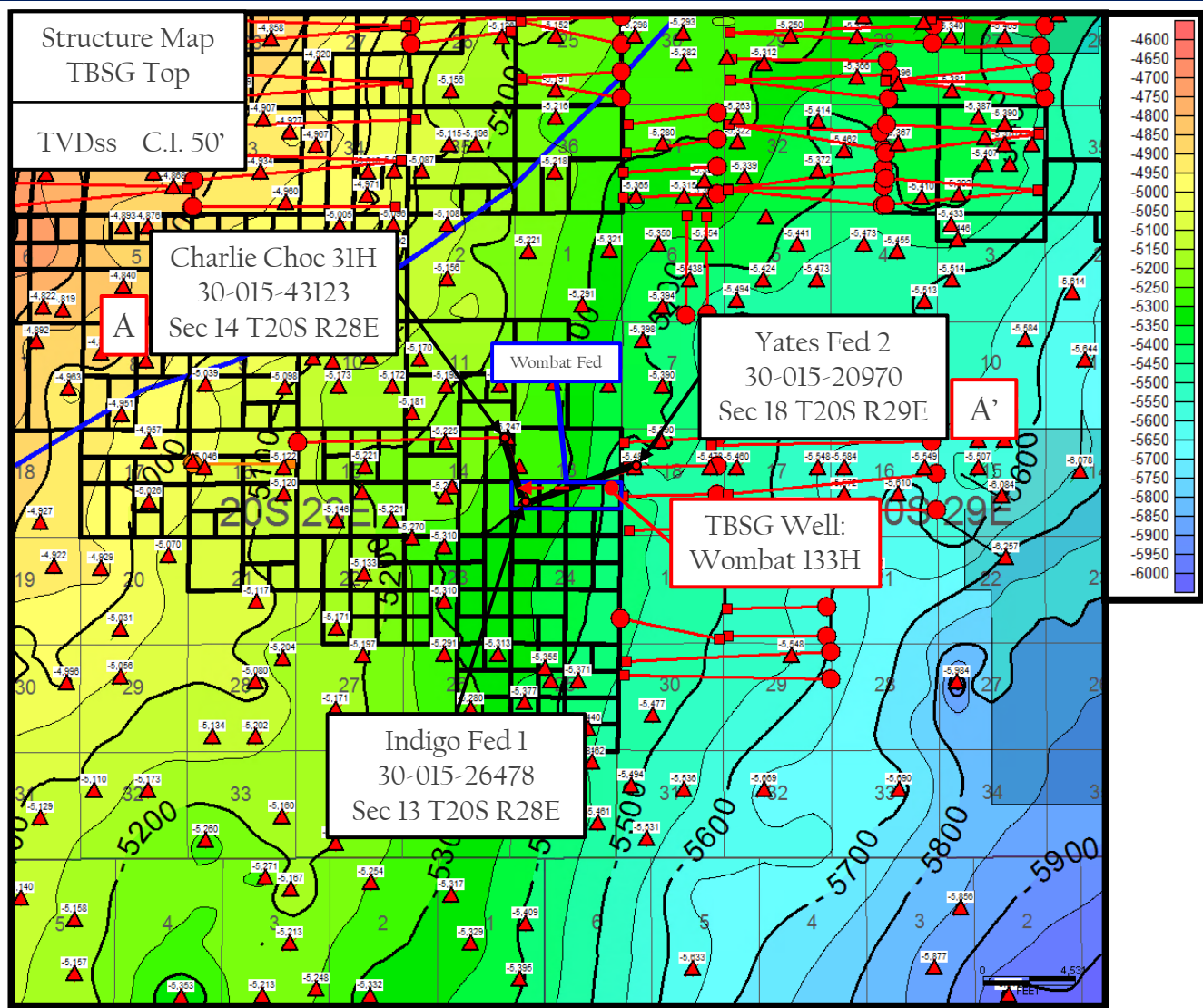


Producing Wells



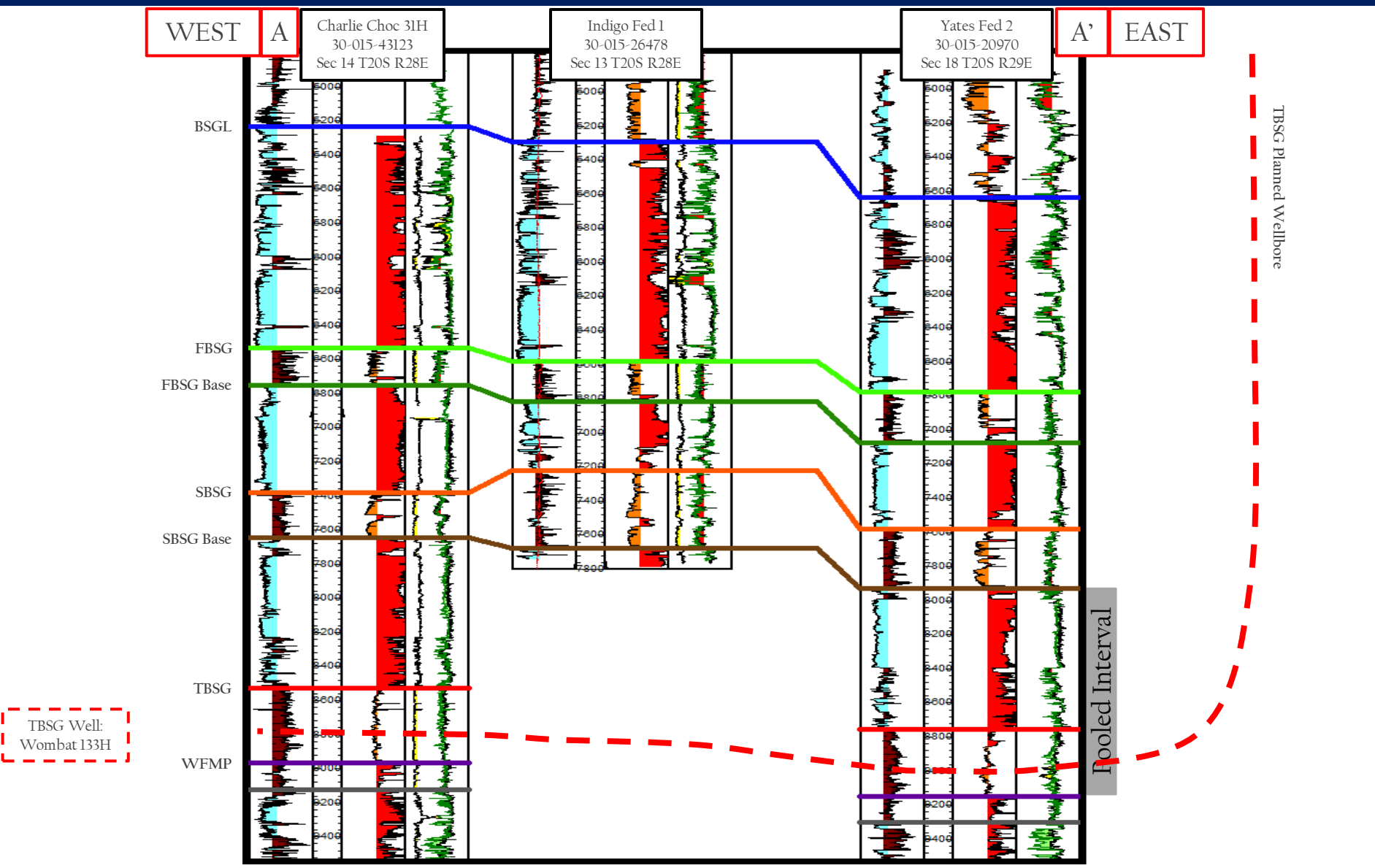
Colgate Energy

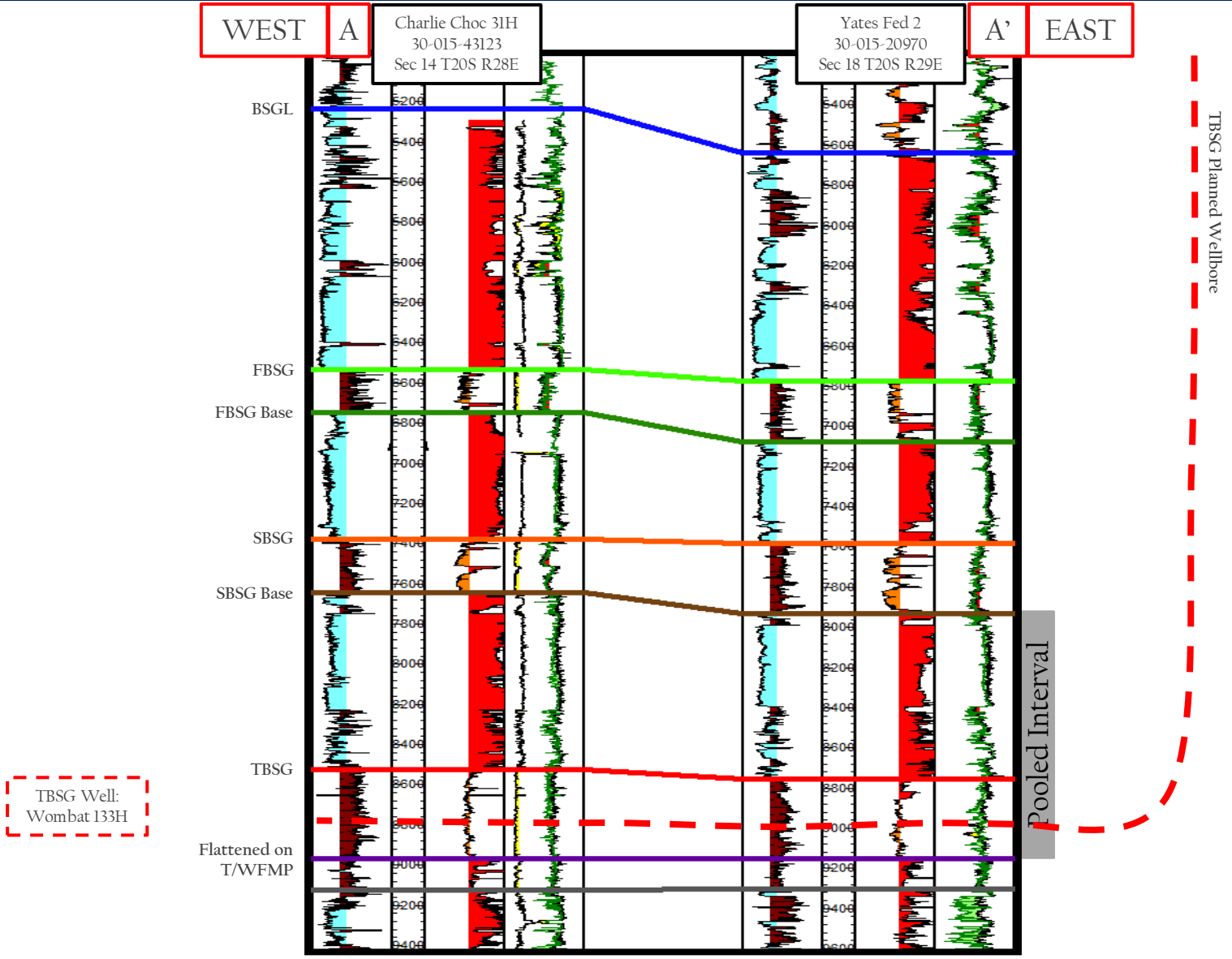
Wombat 13 Fed 133H



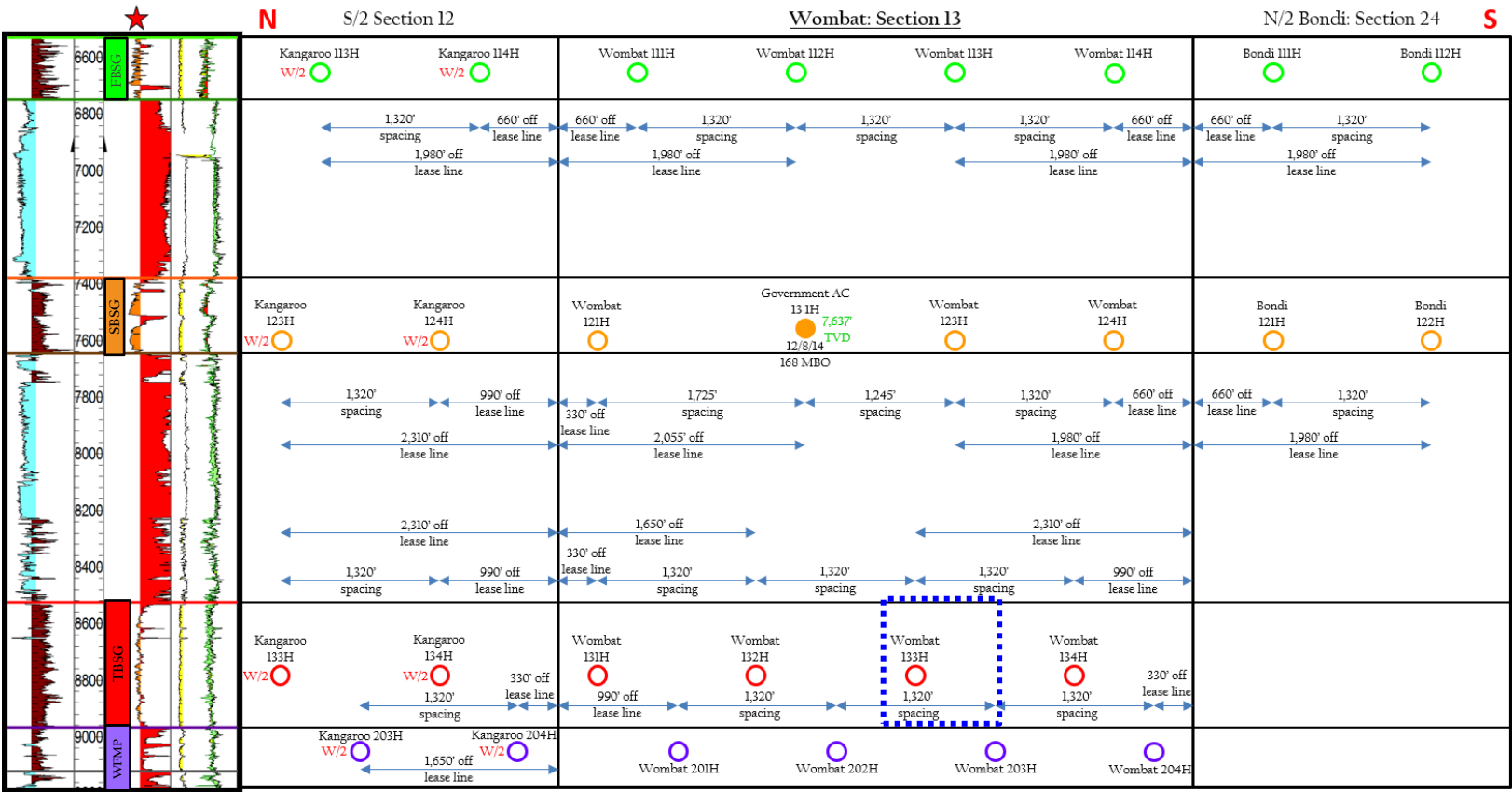
Colgate Energy







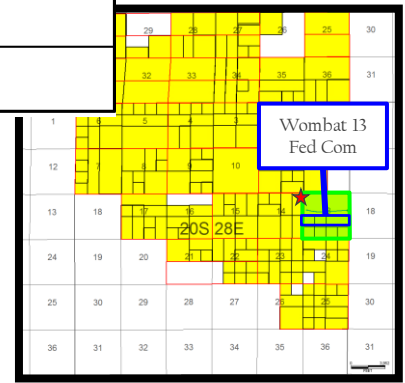
TBSG Well:  
Wombat 133H



○ TBSG Proposed

30-015-43123

Proposed Well



**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. 22939**

**SELF-AFFIRMED STATEMENT OF  
DANA S. HARDY**

1. I am attorney in fact and authorized representative of Colgate Operating, LLC, the Applicant herein.

2. I am familiar with the Notice Letter attached as **Exhibit C-1** and caused the Notice Letter to be sent to the parties set out in the chart attached as **Exhibit C-2**.

3. The above-referenced Application was provided, along with the Notice Letters, to the recipients listed in Exhibit C-2. Exhibit C-2 also provides the date each Notice Letter was sent and the date each return was received.

4. Copies of the certified mail green cards and white slips are attached as **Exhibit C-3** as supporting documentation for proof of mailing and the information provided on Exhibit C-2.

5. On July 14, 2022, I caused a notice to be published to all interested parties in the Carlsbad Current Argus. An Affidavit of Publication from the Legal Clerk of the Carlsbad Current Argus, along with a copy of the notice publication, is attached as **Exhibit C-4**.

6. I understand that this Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony in paragraphs 1 through 5 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.

/s/ Dana S. Hardy  
Dana S. Hardy

September 9, 2022  
Date

Colgate Operating, LLC  
Case No. 22939  
Exhibit C



**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

July 11, 2022

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**TO ALL PARTIES ENTITLED TO NOTICE**

**Re: Case Nos. 22937, 22938, 22939, 22940, 22941, and 22942 - Applications of Colgate Operating, LLC for Compulsory Pooling, Eddy County, New Mexico.**

To whom it may concern:

This letter is to advise you that the enclosed applications were filed with the New Mexico Oil Conservation Division. The hearing will be conducted on **August 4, 2022** beginning at 8:15 a.m.

Hearings are currently 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 submitted through the OCD E-Permitting system (<https://wwwapps.emnrd.state.nm.us/oed/oedpermitting/>) or via e-mail to [ocd.hearings@state.nm.us](mailto:ocd.hearings@state.nm.us) 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 questions about this matter.

Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

Enclosure

Colgate Operating, LLC  
Case No. 22939  
Exhibit C-1

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

**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 NOs 22937-22942**

**NOTICE LETTER CHART**

<b>PARTY</b>	<b>NOTICE LETTER SENT</b>	<b>RETURN RECEIVED</b>
Ard Energy Partners, Ltd. PO Box 101027 Fort Worth, TX 76185	07/11/22	08/15/22
Delmar Hudson Lewis Living Trust P.O. Box 830308 Dallas, TX 75283	07/11/22	Latest USPS Update: 07/18/22 - Item in transit to next facility.  (Status was checked morning of 09/13/22)
Javelina Partners 616 Texas Street Fort Worth, TX 76102	07/11/22	07/18/22
Jennings Production Co. Ltd. P.O. Box 670326 Dallas, TX 75367	07/11/22	07/22/22
Jennings Production Co. Ltd. 6114 Tulip Ln., Suite 250 Dallas, TX 75230	07/11/22	07/22/22  Return to sender.
Josephine T. Hudson Testamentary Trust FBO J. Terrell Ard PO Box 1600 San Antonio, TX 78296	07/11/22	07/18/22
LLJ Ventures P.O. Box 3188 Roswell, NM 88202	07/11/22	07/21/22
Lindy's Living Trust 215 West Bandera Rd, Ste 114-620 Boerne, TX 78006	07/11/22	Latest USPS Update: 07/18/22 - Item in transit to next facility.  (Status was checked morning of 09/13/22)
SBI West Texas I LLC 6702 Broadway Galveston, TX 77554	08/16/22	08/25/22  (Only rec'd application 22941)

**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 NOs 22937-22942**

**NOTICE LETTER CHART**

Thunderbolt Petroleum PO Box 10523 Midland, TX 79711	07/11/22	07/22/22
Zorro Partners, Ltd. 616 Texas Street Fort Worth, TX 76102	07/11/22	07/18/22

**U.S. Postal Service™  
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7021 0950 0002 0364 5518

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  
Ard Energy Partners, Ltd.  
Street and Apt. No. PO Box 101027  
Fort Worth, TX 76185  
City, State, ZIP+4® 22937-22942 Colgate Wombat

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

SANTA FE, NM 87501  
JUL 17 2022  
USPS

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature   <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Ard Energy Partners, Ltd. PO Box 101027 Fort Worth, TX 76185 22937-22942 Colgate Wombat</p>  <p>9590 9402 6746 1074 2376 49</p>		<p>B. Received by (Printed Name) C. Date of Delivery          Jo Graf 8/9/2022</p>	
<p>2. Article Number (Transfer from service label)          7021 0950 0002 0364 5518</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p> <p><b>RECEIVED</b> AUG 15 2022</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>		<p>Hinkle Shanor LE Santa Fe NM 87501</p>	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

Colgate Operating, LLC  
Case No. 22939  
Exhibit C-3



7021 0950 0002 0364 5457

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Extra Services & Fees (check box, add fees 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. Josephine T. Hudson Testamentary Trust  
FBO J. Terrell Ard  
PO Box 1600  
San Antonio, TX 78296

City, State, Zip San Antonio, TX 78296 22937—22942 Colgate Wombat

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



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature</p> <p><input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>
1. Article Addressed to:	<p>B. Received by (Printed Name) <i>[Signature]</i></p> <p>C. Date of Delivery <i>7-18-22</i></p>
<p>Josephine T. Hudson Testamentary Trust FBO J. Terrell Ard PO Box 1600 San Antonio, TX 78296</p> <p>22937—22942 Colgate Wombat</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>9590 9402 6746 1074 2377 24</p> <p>2. Article Number (Transfer from service label) 7021 0950 0002 0364 5457</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 <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt

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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

Street and Apt. No Javelina Partners  
616 Texas Street  
Fort Worth, TX 76102

City, State, ZIP+4® 22937—22942 Colgate Wombat

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



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Stevanne Box</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)  <i>Stevanne Box</i></p> <p>C. Date of Delivery  <i>7/14/22</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Javelina Partners 616 Texas Street Fort Worth, TX 76102</p> <p>22937—22942 Colgate Wombat</p> <p>9590 9402 6746 1074 2377 31</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>
<p>2. Article Number (Transfer from service label)</p> <p>7021 0950 0002 0364 5440</p>	

7021 0950 0002 0364 5464

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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 Jennings Production Co. Ltd.  
Street and Apt. N P.O. Box 670326  
City, State, ZIP+4 Dallas, TX 75367 22937—22942 Colgate Wombat

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<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <i>X1. Hinkle</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>T. Hinkle</i> C. Date of Delivery <i>7/11/22</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p style="text-align: center;"><b>RECEIVED</b> JUL 21 2022</p> <p style="text-align: center;">Hinkle Shanor LLP Santa Fe, NM 87504</p>
<p>1. Article Addressed to:</p> <p>Jennings Production Co. Ltd. P.O. Box 670326 Dallas, TX 75367</p> <p style="text-align: right;">22937—22942 Colgate Wombat</p> <p> 9590 9402 6746 1074 2377 17</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>
<p>2. Article Number (Transfer from service label)</p> <p>7021 0950 0002 0364 5464</p>	<p>PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt</p>

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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

Street and Apt. No., or P.O. Box 3188  
 City, State, ZIP+4® Roswell, NM 88202  
 22937—22942 Colgate Wombat

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<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <i>[Signature]</i></p> <p><input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>max [Signature]</i></p> <p>C. Date of Delivery <i>JUL 21 2022</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No      If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>LLJ Ventures          P.O. Box 3188          Roswell, NM 88202</p> <p>22937—22942 Colgate Wombat</p> <p>9590 9402 6746 1074 2376 25</p>	<p><b>RECEIVED</b></p> <p>JUL 21 2022</p>
<p>2. Article Number (Transfer from service label)</p> <p>7021 0950 0002 0364 5532</p>	<p>3. Service type</p> <p><input type="checkbox"/> Adult Signature NM 87504</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on 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> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

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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

SBI West Texas I LLC  
6702 Broadway  
Galveston, TX 77554

Colgate Wombat - 22941 Only

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

7021 0950 0002 0366 0399

SANTA FE MAIN POST OFFICE  
AUG 16 2022  
87501-9998

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>M S Mendez</i></p> <p>C. Date of Delivery <i>8/19/22</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below</p> <p><b>RECEIVED</b></p> <p>AUG 25 2022</p> <p>Hinkle Shanor LLP Santa Fe NM 87504</p>
<p>1. Article Addressed to:</p> <p>SBI West Texas I LLC 6702 Broadway Galveston, TX 77554</p> <p>Colgate Wombat - 22941 Only</p> <p>9590 9402 7543 2098 9413 47</p>	<p>3. Service Type <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail® <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on 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>
<p>2. Article Number (Transfer from service label)</p> <p>7021 0950 0002 0366 0399</p>	
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt

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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

Thunderbolt Petroleum  
PO Box 10523  
Midland, TX 79711  
22937—22942 Colgate Wombat

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



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature X <i>Robert J. Hinkle</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><b>RECEIVED</b></p> <p>JUL 22 2022</p> <p>Hinkle Shanor LLP Santa Fe NM 87504</p>
<p>1. Article Addressed to:</p> <p>Thunderbolt Petroleum PO Box 10523 Midland, TX 79711 22937—22942 Colgate Wombat</p> <p>9590 9402 6746 1074 2376 70</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer from service label)</p> <p>7021 0950 0002 0364 5488</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>
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt

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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. N Zorro Partners, Ltd.  
616 Texas Street  
Fort Worth, TX 76102  
City, State, ZIP+4 22937-22942 Colgate Wombat

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



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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<p>1. Article Addressed to:</p> <p>Zorro Partners, Ltd. 616 Texas Street Fort Worth, TX 76102 22937-22942 Colgate Wombat</p>  <p>9590 9402 6746 1074 2376 32</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>
<p>2. Article Number (Transfer from service label)</p> <p>7021 0950 0002 0364 5525</p>	
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>

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Dallas, TX 75283

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215 West Bandera Rd, Ste 114-620  
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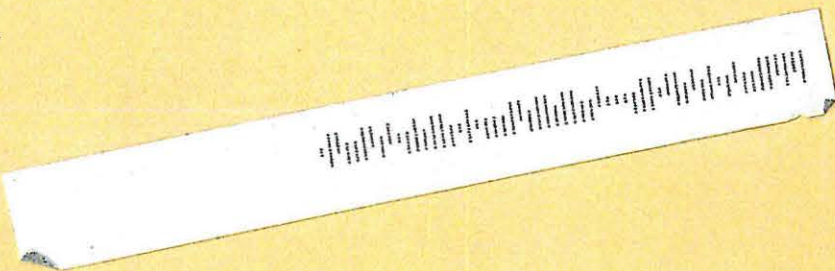
021 0950 0002 0364 5471

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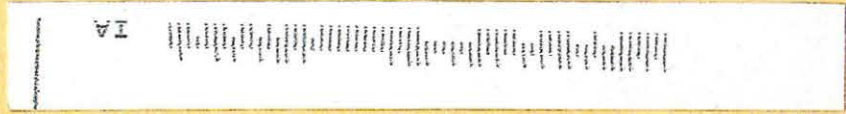
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## Affidavit of Publication

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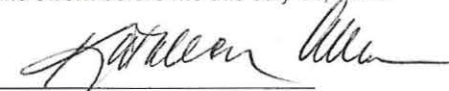
**SANTA FE, NM 87501**

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:

07/14/2022

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

Subscribed and sworn before me this July 14, 2022:

  
\_\_\_\_\_  
State of WI, County of Brown  
NOTARY PUBLIC  
1-7-25  
\_\_\_\_\_  
My commission expires

This is to notify all interested parties, including Javelina Partners; Josephine T. Hudson Testamentary Trust; Jennings Production Co. Ltd.; Lindy's Living Trust; Delmar Hudson Lewis Living Trust; Ard Energy Partners, Ltd.; Zorro Partners, Ltd.; LLJ Ventures; 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. 22939). The hearing will be conducted remotely on August 4, 2022, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website for that date: <https://www.emnr.d.nm.gov/ocd/hearing-info/>. Applicant applies for an order pooling all uncommitted interests from the top of the Third Bone Spring Formation to the base of the Bone Spring Formation underlying a 160-acre, more or less, standard horizontal spacing unit comprised of the N2/S2 of Section 13, Township 20 South, Range 28 East, Eddy County, New Mexico ("Unit"). The Unit will be dedicated to the Wombat 13 Federal Com 133H well, which will be horizontally drilled from a surface hole location in the NE/4 SE/4 (Unit I) of Section 13 to a bottom hole location in the NW/4 SW/4 (Unit L) of Section 13. Also to be considered will be the cost of drilling and completing the Well and the allocation of the costs, the designation of Applicant as the operator of the Well, and a 200% charge for the risk involved in drilling and completing the Well. The Well is located approximately 10.2 miles northeast of Carlsbad, New Mexico. #5335843, Current Argus, July 14, 2022

Ad # 0005335843  
PO #: 22939  
# of Affidavits 1

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KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

Colgate Operating, LLC  
Case No. 22939  
Exhibit C-4