

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

**APPLICATIONS OF INVITO OPERATING, LLC
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO**

CASE NO. 22925

INVITO’S PRE-HEARING STATEMENT

Invito Operating, LLC (“Invito”) submits this Pre-Hearing Statement for the above-referenced case pursuant to the rules of the Oil Conservation Division.

APPEARANCES

APPLICANT

INVITO OPERATING, LLC

ATTORNEY

Earl E. DeBrine
Deana M. Bennett
Bryce H. Smith
MODRALL, SPERLING, ROEHL,
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OTHER PARTIES

**TIERRA OIL COMPANY, LLC
J BAR CANE ROYALTY, LLC
TREVOR S. TURMELLE
SPINNAKER INVESTMENTS LP
DAVID W. HEAD
NORMA G. HEAD**

ATTORNEY

STATEMENT OF THE CASE

APPLICANT:

In Case No. 22925, Invito applies for an order pooling all uncommitted mineral interests in the San Andres formation underlying a 160-acre, more or less, standard horizontal spacing unit (“Unit”) comprised of the E/2 E/2 of Section 12, Township 9 South, Range 33 East, Lea County,

New Mexico. The Unit will be dedicated to the Wagoneer #1H well (“Well”) to be horizontally drilled from a surface hole location in the SE/4 SE/4 (Unit P) of Section 1, Township 9 South, Range 33 East, to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 12, Township 9 South, Range 33 East. The completed interval of the Well will be orthodox. Also to be considered will be the cost of drilling and completing the Well and the allocation of the cost, 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 10.35 miles west of Crossroads, New Mexico.

PROPOSED EVIDENCE

APPLICANT:

WITNESS	ESTIMATED TIME	EXHIBITS
Landman: Jared Poteet	Approx. 5 minutes	Approx. 5
Geologist: Candice Carrell	Approx. 5 minutes	Approx. 5

PROCEDURAL ISSUES

Invito has reached an agreement with the parties who originally objected to this case and is no longer seeking to pool them. Accordingly, no opposition is expected at the hearing and Invito intends to present this case at the October 6, 2022 hearing by affidavit.

Respectfully submitted,

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

By: /s/ Deana M. Bennett

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CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2022, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

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State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

QUESTIONS

Action 147499

QUESTIONS

Operator: Invito Operating, LLC 6401 Eldorado Parkway Mckinney, TX 75070	OGRID: 329337
	Action Number: 147499
	Action Type: [HEAR] Prehearing Statement (PREHEARING)

QUESTIONS

Testimony	
<i>Please assist us by provide the following information about your testimony.</i>	
Number of witnesses	<i>Not answered.</i>
Testimony time (in minutes)	<i>Not answered.</i>