

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

**APPLICATION OF COLGATE  
PRODUCTION, LLC FOR COMPULSORY  
POOLING AND APPROVAL OF  
NON-STANDARD SPACING UNIT, EDDY  
COUNTY, NEW MEXICO.**

**CASE NO. \_\_\_\_\_**

**APPLICATION**

Pursuant to NMSA § 70-2-17, Colgate Production, LLC (“Applicant”) applies for an order pooling all uncommitted interests in the Bone Spring formation underlying an 800-acre, more or less, non-standard horizontal spacing unit comprised of the S/2 of irregular Sections 3 and 4, and the SE/4 of irregular Section 5, Township 20, Range 30 East, Eddy County, New Mexico (“Unit”).

In support of its application, Applicant states the following:

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 following wells (“Wells”):
  - a. **Michelada 5 Fed Com 123H** and **Michelada 5 Fed Com 133H**, which will be drilled from surface hole locations in the NW/4 NW/4 (Unit D) of Section 11 to bottom hole locations in the NW/4 SE/4 (Unit J) of Section 5; and
  - b. **Michelada 5 Fed Com 124H** and **Michelada 5 Fed Com 134H**, which will be drilled from surface hole locations in the NW/4 NW/4 (Unit D) of Section 11 to bottom hole locations in the SW/4 SE/4 (Unit O) of Section 5.
3. The completed interval 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 interest owners.

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

6. Approval of a non-standard horizontal spacing unit is necessary to 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 interests in the Unit should be pooled and Permian Resources Operating, LLC (OGRID No. 372165) should be designated the operator of the Wells and the Unit.

WHEREFORE, Applicant requests that this application be set for hearing before an Examiner of the Oil Conservation Division on December 7, 2023, and, after notice and hearing as required by law, the Division enter an order:

- A. Pooling all uncommitted interests in the Unit;
- B. Approving the Wells in the Unit;
- C. Approving a non-standard horizontal spacing unit pursuant to 19.15.16.15(B)(5) NMAC;
- D. Designating Permian Resources Operating, LLC as the operator of the Unit and the Wells to be drilled thereon;
- E. Authorizing Permian Resources Operating, LLC to recover its costs of drilling, equipping, and completing the Wells;

- F. 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
- G. Imposing a 200% charge for the risk assumed by Permian Resources Operating, LLC in drilling and completing the Wells against any working interest owner who does not voluntarily participate in the drilling of the Wells.

Respectfully submitted,

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