

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

**APPLICATION OF AVANT OPERATING,
LLC FOR COMPULSORY POOLING AND
APPROVAL OF NON-STANDARD
HORIZONTAL SPACING UNIT, LEA
COUNTY, NEW MEXICO**

Case No. _____

APPLICATION

Avant Operating, LLC, OGRID No. 330396 (“Avant” or “Applicant”), through its undersigned attorneys, hereby files this Application with the Oil Conservation Division (“Division”) pursuant to the provisions of NMSA 1978, § 70-2-17 and 19.15.16.15(B)(5) NMAC, for an order (1) approving a 1,280-acre, more or less, non-standard horizontal spacing unit (“HSU”) composed of all of Sections 29 and 32, Township 18 South, Range 34 East, N.M.P.M. (the “Application Lands”), and (2) pooling all uncommitted mineral interests in the Wolfcamp Formation, designated as an oil pool, underlying said HSU.

In support of its Application, Avant states the following:

1. Avant is a working interest owner in the subject lands and has a right to drill wells thereon.
2. Avant seeks to dedicate all of the Application Lands to form a 1,280-acre, more or less, HSU.
3. Avant seeks to dedicate the above-referenced HSU to the following proposed wells:
 - A. **Daytona 29 Fed Com #006H**, which is an oil well that will be horizontally drilled from a surface location in the NE/4NW/4 (Unit C) of Section 29 to a bottom hole location in the Wolfcamp Formation in the SW/4SW/4 (Unit M) of Section 32;

B. **Daytona 29 Fed Com #007H**, which is an oil well that will be horizontally drilled from a surface location in the NE/4NW/4 (Unit C) of Section 29 to a bottom hole location in the Wolfcamp Formation in the SE/4SW/4 (Unit N) of Section 32;

C. **Daytona 29 Fed Com #008H**, which is an oil well that will be horizontally drilled from a surface location in the NE/4NE/4 (Unit A) of Section 29 to a bottom hole location in the Wolfcamp Formation in the SW/4SE/4 (Unit O) of Section 32; and

D. **Daytona 29 Fed Com #009H**, which is an oil well that will be horizontally drilled from a surface location in the NE/4NE/4 (Unit A) of Section 29 to a bottom hole location in the Wolfcamp Formation in the SE/4SE/4 (Unit P) of Section 32.

4. The wells are orthodox in their location as defined by 19.15.16.15.(C) NMAC, and the take points and laterals comply with Statewide Rules for setbacks under 19.15.16.15.(C) NMAC.

5. Avant has sought in good faith but has been unable to obtain voluntary agreement from all interest owners in the Wolfcamp Formation underlying the proposed spacing unit to participate in the drilling of the wells or to otherwise commit their interests to the wells.

6. The pooling of all interests in the Wolfcamp Formation within the proposed unit will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

7. Approval of a non-standard horizontal spacing unit is necessary to prevent waste and protect correlative rights.

8. To provide for its just and fair share of the oil and gas underlying the subject lands, Avant requests that all uncommitted interests in this HSU be pooled and that Avant be designated as the operator of the proposed horizontal wells and HSU.

WHEREFORE, Avant requests this Application be set for hearing on July 11, 2024, before an Examiner of the Oil Conservation Division, and after notice and hearing as required by law, the Division enter an order:

- A. Approving the creation of an approximately 1,280-acre non-standard HSU, composed of the Application Lands, pursuant to 19.15.16.15(B)(5) NMAC;
- B. Pooling all uncommitted interests in the Wolfcamp Formation underlying the HSU within the Application Lands;
- C. Approving the **Daytona 29 Fed Com #006H, Daytona 29 Fed Com #007H, Daytona 29 Fed Com #008H, and Daytona 29 Fed Com #009H** as the wells for the HSU.
- D. Designating Avant as operator of the HSU and the horizontal wells to be drilled thereon;
- E. Authorizing Avant to recover its costs of drilling, equipping, and completing the wells;
- F. Approving actual operating charges and costs of supervision, to the maximum extent allowable, while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures; and
- G. Setting a 200% charge for the risk assumed by Avant in drilling and completing the wells in the event a working interest owner elects not to participate in the wells, as authorized by NMSA 1978, § 70-2-17.

Respectfully submitted,

BEATTY & WOZNIAK, P.C.

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Application of Avant Natural Resources, LLC for Compulsory Pooling and Approving a Non-Standard Horizontal Spacing Unit and, Lea County, New Mexico. Applicant in the above-styled cause seeks an order from the Division: (1) approving a 1,280-acre, more or less, non-standard horizontal spacing and proration unit composed of all of Sections 29 and 32, Township 18 South, Range 34 East, N.M.P.M.; and (2) pooling all uncommitted mineral interests in the Wolfcamp Formation, designated as an oil pool, underlying said unit. The proposed wells to be dedicated to the horizontal spacing unit are the **Daytona 29 Fed Com #006H**, which is an oil well that will be horizontally drilled from a surface location in the NE/4NW/4 (Unit C) of Section 29 to a bottom hole location in the Wolfcamp Formation in the SW/4SW/4 (Unit M) of Section 32; **Daytona 29 Fed Com #007H**, which is an oil well that will be horizontally drilled from a surface location in the NE/4NW/4 (Unit C) of Section 29 to a bottom hole location in the Wolfcamp Formation in the SE/4SW/4 (Unit N) of Section 32; **Daytona 29 Fed Com #008H**, which is an oil well that will be horizontally drilled from a surface location in the NE/4NE/4 (Unit A) of Section 29 to a bottom hole location in the Wolfcamp Formation in the SW/4SE/4 (Unit O) of Section 32; and **Daytona 29 Fed Com #009H**, which is an oil well that will be horizontally drilled from a surface location in the NE/4NE/4 (Unit A) of Section 29 to a bottom hole location in the Wolfcamp Formation in the SE/4SE/4 (Unit P) of Section 32. The wells are orthodox in location, and the take points and laterals comply with Statewide Rules for setbacks. Also to be considered will be the cost of drilling and completing the wells and the allocation of the costs thereof; actual operating costs and charges for supervision; the designation of the Applicant as Operator of the wells and unit; and a 200% charge for the risk involved in drilling and completing the wells. The wells and lands are located approximately 22 miles west from Hobbs, New Mexico.