

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

**APPLICATION OF COLGATE OPERATING, LLC  
FOR COMPULSORY POOLING, AND NON-  
STANDARD SPACING AND PRORATION UNIT IN  
EDDY COUNTY, NEW MEXICO**

**Case No. 21904  
Order No. R-21354  
Previous Case No. 21226**

**APPLICATION OF COLGATE OPERATING, LLC  
FOR COMPULSORY POOLING, AND NON-  
STANDARD SPACING AND PRORATION UNIT IN  
EDDY COUNTY, NEW MEXICO**

**Case No. 21905  
Order No. R-21355  
Previous Case No. 21227**

**COLSOLIDATED PRE-HEARING STATEMENT**

This Consolidated Pre-hearing Statement is submitted by COLGATE OPERATING, LLC, by and through its undersigned counsel, Ernest L. Padilla, PADILLA LAW FIRM, P.A., as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT:**

Colgate Operating, LLC

**ATTORNEY:**

Ernest L. Padilla  
Padilla Law Firm, P.A.  
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Santa Fe, New Mexico 87504  
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**OPPOSITION OR OTHER PARTY:**

Cimarex Energy Co.

**ATTORNEY:**

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**STATEMENT OF CASES**

**Case No. 21904**

Applicant seeks an order from the Oil Conservation Division for the limited purpose of amending Order No. R-21354 to allow for an extension of time of one year for drilling the wells under the Order. The Division issued Order R-21354 on June 10, 2020, which designated Colgate as the operator of the unit and the Dawson 34 Fed State Com 123H, Dawson 34 Fed State Com 133H, Dawson 34 Fed State Com 124H and Dawson 34 Fed State Com 134H wells; and pooled uncommitted interest owners in a 240-acre, more or less, Winchester Bone Spring horizontal spacing unit comprised of the N/2 S/2 of Section 34 and N/2 S/2 of Section 33 and S/2 S/2 of Section 34 and S/2 S/2 of Section 33, Township 19 South, Range 28 East, NMPM, Eddy County New Mexico. The Order requires commencement of drilling the wells within one year of the date of the Order unless Colgate obtains an extension by an amendment of this Order for good cause shown. Good cause exists for Colgate’s request for an extension of time due Colgate’s drilling schedule due to the COVID-19 pandemic and current market conditions.

**Case No. 21905**

Applicant seeks an order from the Oil Conservation Division for the limited purpose of amending Order No. R-21355 to allow for an extension of time of one year for drilling the wells under the Order. The Division issued Order R-21355 on June 10, 2020, which designated Colgate as the operator of the unit and the Shamrock 34 Fed State Com 121H, Shamrock 34 Fed State Com 131H, Shamrock 34 Fed State Com 122H and Shamrock 34 Fed State Com 132H wells, and pooled uncommitted interest owners in a 240-acre, more or less, Winchester Bone Spring horizontal spacing unit comprised of the N/2 N/2 of Section 34 and N/2 N/2 of Section 33 and S/2 N/2 of Section 34 and S/2 N/2 of Section 33, Township 19 South, Range 28 East, NMPM, Eddy County New Mexico. The Order requires commencement of drilling the wells within one year of the date of the Order unless Colgate obtains an extension by an amendment of this Order for good cause shown. Good cause exists for Colgate’s request for an extension of time due Colgate’s drilling schedule due to the COVID-19 pandemic and current market conditions.

**PROPOSED EVIDENCE**

**APPLICANT**

<b>WITNESSES</b>		<b>EST. TIME</b>	<b>EXHIBITS</b>
<b>Name</b>	<b>Title</b>	<b>Est. time</b>	<b>Exhibits</b>
Mark Hajdik	Landman	5 minutes	Approximately 6

**PROCEDURAL MATTERS**

Case 21905 (Shamrock wells) may be contested by Cimarex. Because Order R-21355 was issued on June 10, 2020 by the Division, Colgate must necessarily go forward with its application on June 3, 2021 as scheduled. Colgate has requested consent to present the case by affidavit, but that consent has been denied pending submittal of a JOA by Colgate to Cimarex. Nonetheless, Colgate will have its landman witness available for cross-examination if necessary.

PADILLA LAW FIRM, P.A.

**/s/ Ernest L. Padilla**

Ernest L. Padilla

Attorney for Colgate Operating, LLC

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**CERTIFICATE OF SERVICE**

I certify that on May 26, 2021, I served a copy of the foregoing pleading by electronic mail to:

Darin C. Savage      [darin@abadieschill.com](mailto:darin@abadieschill.com)

William E. Zimsky    [bill@abadieschill.com](mailto:bill@abadieschill.com)

Andrew D. Schill    [andrew@abadieschill.com](mailto:andrew@abadieschill.com)

**/s/ Ernest L. Padilla**

Ernest L. Padilla