

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

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

**CASE NO. 23677**

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

**CASE NO. 23678**

**AVANT OPERATING, LLC'S PRE-HEARING STATEMENT**

Avant Operating, LLC ("Avant") submits this Pre-Hearing Statement for the above-referenced cases pursuant to the rules of the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Avant Operating, LLC

**ATTORNEY**

Deana M. Bennett  
Earl E. DeBrine  
Yarithza Peña  
MODRALL, SPERLING, ROEHL,  
HARRIS & SISK, P.A.  
P. O. Box 2168  
Albuquerque, New Mexico 87103-2168  
(505) 848-1800

**OTHER PARTIES**

EOG Resources, Inc.

**ATTORNEY**

Jordan L. Kessler  
125 Lincoln Avenue, Suite 213  
Santa Fe, NM 87501  
(432) 488-6108

XTO Energy, Inc.

Michael H. Feldewert  
Adam G. Rankin  
Julia Broggi  
Paula M. Vance  
P. O. Box 2208  
Santa Fe, NM 87504

(505) 988-4421

**STATEMENT OF CASES**

**APPLICANT:**

In Case No. 23677, Avant seeks an order from the Division (1) approving a non-standard 640-acre spacing unit, and (2) pooling all uncommitted mineral interests within a 640-acre, more or less, Wolfcamp horizontal spacing unit comprised of Section 23, Township 20 South, Range 33 East, N.M.P.M, Lea County, New Mexico. This spacing unit will be dedicated to the **Sandra Jean 23 Fed Com #751H; Sandra Jean 23 Fed Com #752H; Sandra Jean 23 Fed Com #753H; Sandra Jean 23 Fed Com #754H; and the Sandra Jean 23 Fed Com #755H wells** to be horizontally drilled. The producing area for the wells are expected to be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Avant Operating, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 22 miles west-southwest of Monument, New Mexico.

In Case No. 23678, Avant seeks an order from the Division (1) approving a non-standard 640-acre spacing unit, and (2) pooling all uncommitted mineral interests within a 640-acre, more or less, Bone Spring horizontal spacing unit comprised of Section 23, Township 20 South, Range 33 East, N.M.P.M, Lea County, New Mexico. This spacing unit will be dedicated to the **Sandra Jean 23 Fed Com #301H; Sandra Jean 23 Fed Com #302H; Sandra Jean 23 Fed Com #501H; Sandra Jean 23 Fed Com #502H; Sandra Jean 23 Fed Com #503H; Sandra Jean 23 Fed Com #601H; Sandra Jean 23 Fed Com #602H; Sandra Jean 23 Fed Com #603H; Sandra Jean 23 Fed Com #303H; Sandra Jean 23 Fed Com #304H; Sandra Jean 23 Fed Com #305H; Sandra Jean 23 Fed Com #504H; Sandra Jean 23 Fed Com #505H; Sandra Jean 23 Fed Com #506H; Sandra Jean 23 Fed Com #604H; Sandra Jean 23 Fed Com #605H; and the Sandra Jean 23 Fed Com #606H wells** to be horizontally drilled. The producing area for the wells are expected to be orthodox. The completed intervals for the Sandra Jean 23 Fed Com #302H; Sandra Jean 23 Fed Com #502H, Sandra Jean 23 Fed Com #602H; Sandra Jean 23 Fed Com #304H, Sandra Jean 23 Fed Com #505H; and the Sandra Jean 23 Fed Com #605H wells are expected to be less than 330 feet from the adjoining tracts, thereby allowing for the inclusion of the proximity tracts within the proposed spacing unit. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Avant Operating, LLC as operator of the wells, and a 200% charge for risk involved in drilling said wells. Said area is located approximately 22 miles west-southwest of Monument, New Mexico.

**PROPOSED EVIDENCE**

**APPLICANT:**

**WITNESS**

**ESTIMATED TIME**

**EXHIBITS**

Landman: Tiffany Sarantinos

Approx. 15 minutes

Approx. 8

Geologist: John Harper	Approx. 15 minutes	Approx. 10
Reservoir Engineer: To Be Determined	Approx. 15 minutes	Approx. 3

### PROCEDURAL ISSUES

Avant has been in discussions with XTO to resolve XTO's objections. If those objections are resolved, Avant intends to proceed by affidavit at the October 5, 2023 hearing.

Respectfully submitted,

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

By: 

Deana M. Bennett  
Earl E. DeBrine  
Yarithza Peña  
Post Office Box 2168  
500 Fourth Street NW, Suite 1000  
Albuquerque, New Mexico 87103-2168  
Telephone: 505.848.1800  
[Deana.Bennett@modrall.com](mailto:Deana.Bennett@modrall.com)  
[eed@modrall.com](mailto:eed@modrall.com)  
[yarithza.pena@modrall.com](mailto:yarithza.pena@modrall.com)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on September 28, 2023.

Jordan L. Kessler  
125 Lincoln Avenue, Suite 213  
Santa Fe, NM 87501  
432.488.6108  
[jordan\\_kessler@eogresources.com](mailto:jordan_kessler@eogresources.com)

***Attorney for EOG Resources, Inc.***

Michael H. Feldewert  
Adam G. Rankin  
Julia Broggi  
Paula M. Vance  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
(505) 988-4421  
(505) 983-6043 Facsimile  
mfeldewert@hollandhart.com  
agrarkin@hollandhart.com  
jbroggi@hollandhart.com  
pmvance@hollandhart.com

***Attorneys for XTO Energy Inc.***



---

Deana M. Bennett

**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 Rd., Aztec, NM 87410  
 Phone:(505) 334-6178 Fax:(505) 334-6170

**District IV**  
 1220 S. St Francis Dr., Santa Fe, NM 87505  
 Phone:(505) 476-3470 Fax:(505) 476-3462

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

QUESTIONS

Action 270282

**QUESTIONS**

Operator: Avant Operating, LLC 1515 Wynkoop Street Denver, CO 80202	OGRID: 330396
	Action Number: 270282
	Action Type: [HEAR] Prehearing Statement (PREHEARING)

**QUESTIONS**

<b>Testimony</b>	
<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>