

**BEFORE THE NEW MEXICO OIL CONSERVATION COMMISSION**

**IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION COMMISSION FOR  
THE PURPOSE OF CONSIDERING *DE NOVO*:**

**APPLICATION OF COLGATE OPERATING, LLC  
FOR COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO**

**Commission Case No. 21744  
Division Case No. 21629  
Division Order Nos. R-21575,  
R-21575-A, & R-21575-B**

**SUBPOENA**

To: Brent McDonald,  
Senior Vice President of  
Prosperity Bank fka American State Bank,  
1401 Avenue Q  
Lubbock, TX 79401  
Telephone: 806-741-2371  
Email: [brent.mcdonald@prosperitybankusa.com](mailto:brent.mcdonald@prosperitybankusa.com)

Pursuant to NMSA 1978 §70-2-8 and NMAC 19.15.4.16, you, or an equivalent officer of Prosperity Bank fka American State Bank (“Bank”) who handles matters related to the entry of appearance the Bank made in Case No. 21629, as above-referenced, are hereby ordered to appear at 9 a.m. on Friday, December 3, 2021, at an Evidentiary Hearing in Commission Case No. 21744, that has been rescheduled to this date. Such hearing is typically held at the offices of the Oil Conservation Commission (“Commission”), 1220 South St. Francis Drive, Santa Fe, New Mexico 87505; however, under Covid-19 Public Health Emergency conditions, you may attend the Evidentiary Hearing online and remotely, from the convenience of your desktop at your current residence, office, or other location with online access. Information regarding online access, connection, and status of the hearing can be found on the Commission website at: <https://www.emnrd.nm.gov/ocd/occ-info/>, or you can contact Florene Davidson, Commission

Clerk, at (505) 470-5480 for access information. You are being required to appear as a witness to address any questions counsel of the parties or the Commission may have during the proceedings of said Evidentiary Hearing pertaining to statements contained in the Pre-hearing Statement that the Bank filed in Case No. 21629, which was received by the New Mexico Oil Conservation Division on January 11, 2021.

This subpoena is issued on the application for hearing *de novo* of Cimarex Energy Co., for the proceedings in Case No. 21744, including the Evidentiary Hearing described herein, through its attorney, Darin C. Savage, 214 McKenzie, Santa Fe, New Mexico, 87501.

Dated this 18 day of November 2021.

NEW MEXICO OIL CONSERVATION  
COMMISSION

A handwritten signature in black ink, appearing to read 'AS', is written over the printed name of the signatory.

By: Adrienne Sandoval Oil Conservation  
Division Director

