

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

**APPLICATION OF BURNETT OIL COMPANY, INC.  
FOR APPROVAL OF A NON-STANDARD SPACING  
UNIT AND COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 25273**

**ORDER DENYING MOTION TO AMEND PRE-HEARING ORDER**

**THIS MATTER** comes before the Oil Conservation Division upon the Unopposed Motion to Amend the Pre-Hearing Order filed by Burnett Oil Company, Inc. (“Burnett”), requesting that the contested hearing scheduled for May 27, 2025, be converted to a status conference to allow additional time for settlement discussions with objecting party Riley Permian Operating, LLC.

The record reflects that Burnett filed its application on March 19, 2025, and specifically requested that the Division set the matter for contested hearing “as soon as possible.” At the April 24, 2025 status conference, Burnett confirmed that the case had already been delayed and expressed a clear desire to proceed to hearing. At Burnett’s request, the Division scheduled the matter for a contested hearing on May 27, 2025.

In ruling on motions to amend hearing settings or to continue matters, the Division considers several factors: (1) the amount of time that has elapsed since the case was filed; (2) the stated preference and urgency of the applicant in proceeding to a contested hearing; and (3) whether the parties have had a meaningful opportunity to engage in negotiations to resolve their differences.

Here, more than two months have passed since the application was filed. The applicant previously urged prompt adjudication. The parties have had ample time to pursue settlement discussions, and there is no indication that further delay would materially advance resolution of the issues.

Accordingly, in this case the factors weigh against further delay and good cause does not exist. The Motion is therefore DENIED, and the hearing remains scheduled as a contested matter on May 27, 2025.

IT IS SO ORDERED.

DATED 16th day of May 2025.

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GREGORY CHAKALIAN  
HEARING EXAMINER  
OIL CONSERVATION DIVISION