

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

**APPLICATIONS OF ASCENT ENERGY, LLC  
FOR COMPULSORY POOLING, EDDY COUNTY,  
NEW MEXICO**

**CASE NOS. 16481, 16482**

**AMENDED APPLICATIONS OF APACHE  
CORPORATION FOR COMPULSORY POOLING  
AND APPROVAL OF A HORIZONTAL SPACING  
UNIT AND POTASH DEVELOPMENT AREA,  
EDDY COUNTY, NEW MEXICO**

**CASE NOS. 20171, 20202**

**APACHE CORPORATION'S AMENDED COMBINED PRE-HEARING STATEMENT**

Apache Corporation ("Apache") submits this Amended Combined Pre-Hearing Statement for the above-referenced cases which have been consolidated for hearing pursuant to the rules of the Oil Conservation Division.

**APPEARANCES**

**APPLICANT/OPPONENT**

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## **INTERESTED PARTIES**

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## **STATEMENT OF CASE**

In **Case No. 16481**, Ascent Energy, LLC seeks an order pooling all mineral interests in the Bone Spring formation underlying a horizontal spacing unit comprised of the W/2W/2 of Section 28 and the W/2W/2 of Section 33, Township 20 South, Range 30 East, N.M.P.M., Eddy County, New Mexico.

In **Case No 16482**, Ascent Energy, LLC seeks an order pooling all mineral interests in the Wolfcamp formation underlying a horizontal spacing unit comprised of the W/2W/2 of Section 28 and the W/2W/2 of Section 33, Township 20 South, Range 30 East, N.M.P.M., Eddy County, New Mexico.

In **Case No. 20171**, Apache seeks an order from the Division: (1) to the extent necessary, approving the creation of a 800-acre Wolfcamp horizontal spacing unit and a potash area development area; and (2) pooling all uncommitted mineral interests within a horizontal spacing unit underlying the N/2 of Sections 28 and 29 and the NE/4 of Section 30 of Township 20 South, Range 30 East, N.M.P.M., Eddy County, New Mexico. This Development Area will be the horizontal spacing unit for the **Taco 28-30 Federal Com 401H**, **Taco 28-30 Federal Com 402H**, and **Taco 28-30 Federal Com 403H** wells, to be horizontally drilled.

In **Case No. 20202**, Apache seeks an order from the Division: (1) to the extent necessary, approving the creation of a 800-acre Bone Spring horizontal spacing unit and a potash area development area; and (2) pooling all uncommitted mineral interests within a horizontal spacing unit underlying the N/2 of Sections 28 and 29 and the NE/4 of Section 30 of Township 20 South, Range 30 East, N.M.P.M., Eddy County, New Mexico. This Development Area will be the horizontal spacing unit for the **Taco 28-30 Federal Com 301H, Taco 28-30 Federal Com 302H, Taco 28-30 Federal Com 303H, Taco 28-30 Federal Com 201H and Taco 28-30 Federal Com 202H** wells, to be horizontally drilled.

Apache seeks approval of its proposed Taco Development Area within the Potash Area of Eddy County under the terms of Secretary of the Interior's Order 3324 entered December 2017 establishing procedures an guidelines for the co-development of potash and oil and gas resources in Designated Potash Area. Apache opposes Ascent's applications because if granted they will result in waste and impair Apache's correlative rights.

### **PROPOSED EVIDENCE**

#### **APACHE:**

<u>WITNESS</u>	<u>ESTIMATED TIME</u>	<u>EXHIBITS</u>
Laci Stretcher– Landman	Approx. 40	Approx. 10
Mindy Goldsmith - Engineer	Approx. 40	Approx. 10
Mike Muncy - Geologist	Approx. 40	Approx. 12
Jordan Evans - Drilling Engineer Manager	Approx. 20	Approx. 5

### **PROCEDURAL ISSUES**

Ascent has filed a motion to continue the hearing for these cases. Ascent's cases have been pending since November 2018 and Apache's since December 2018. After the hearing was continued at Ascent's request those cases were set for special hearing on a date agreed to by the parties and should not be continued. Ascent and EOG filed separate motions to dismiss which were denied by the Division at a pre-hearing conference held January 24, 2019.

Respectfully submitted,

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

By: 

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on the following counsel of record by electronic mail on August 14, 2019:

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