

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

**APPLICATION OF TOM M. RAGSDALE TO REVOKE
ORDER NOS. R-20924 & R-20924-A OR, IN THE ALTERNATIVE,
TO DECLARE UNREASONABLE CERTAIN COSTS
IMPOSED BY MEWBOURNE OIL COMPANY**

Case No. 21324

JOINT STIPULATION

Tom M. Ragsdale (“Applicant”) and Mewbourne Oil Company (“Mewbourne”), being all of the parties having entered an appearance in the referenced cases, provides this Joint Stipulation as required by the policy established for contested cases set forth in the Notice of the Oil Conservation Division dated April 22, 2020.

APPEARANCES

APPLICANT

TOM M. RAGSDALE

APPLICANT’S ATTORNEY:

Sharon T. Shaheen, Esq.
John F. McIntyre, Esq.
MONTGOMERY & ANDREWS, P.A.
P.O. Box 2307
Santa Fe, New Mexico 87504-2307
Telephone: (505) 986-2678
Email: sshaheen@montand.com
jmcintyre@montand.com

OPPOSING PARTY

MEWBOURNE OIL
COMPANY

OPPOSING PARTY’S ATTORNEY:

James Bruce, Esq.
PO Box 1056
Santa Fe, NM 87504-1056

Attorney for Mewbourne Oil Co.

STIPULATIONS AS TO PROCEDURE

1. The hearing on the merits in this matter will commence on [MONTH/DAY] at 8:30 a.m. and continue as necessary through completion.
2. The hearing will be recorded and transcribed by a court reporter.
3. The hearing will be conducted using the Webex meeting platform; sign-in information will be sent to the parties closer to the date of the hearing. The Hearing Officer may modify the format of the hearing consistent with available resources and public distancing directives in place at the time of the hearing.
4. The parties shall file with the pre-hearing statement required by 19.15.4.13.B NMAC the following additional information, all of which is due by 5 p.m. on [DATE 7 DAYS BEFORE THE HEARING]:
 - a. a list of material facts not in dispute;
 - b. a list of disputed facts and issues;
 - c. identification of the witnesses and their qualifications; and
 - d. a full narrative of the direct testimony and exhibits for each witness.
5. Any evidentiary objections to the filed direct testimony or any exhibit shall be filed by 5 p.m. on [DATE 2 DAYS BEFORE THE HEARING], responses shall be filed by 5 p.m. on [DATE 1 DAY BEFORE THE HEARING], and all objections will be addressed at the commencement of the hearing.
6. The parties anticipate that Mewbourne will file a motion to dismiss or stay prior to the hearing. Such motion shall be filed on or about July 9, and a response shall be filed no later than 7 days after service of the motion to dismiss. A hearing on the motion shall be held on [DATE OF THE NEXT REGULARLY SCHEDULED DOCKET].
7. A courtesy copy of all documents filed with the Division Hearings staff shall also be sent to the Hearing Officer via e-mail.
8. All witnesses filing direct testimony shall attend the hearing and will be subject to cross examination by counsel for the parties and the Division Examiners.
9. Notwithstanding anything herein to the contrary, each party retains its respective right following entry of an order of the Division in these matters to a de novo hearing before the Oil Conservation Commission pursuant to 19.15.4.23 NMAC.
10. The parties agree that, notwithstanding the deadline to file evidentiary motions regarding exhibits and witnesses, no party is prohibited from objecting at hearing to discrete aspects of a witness's written or oral testimony.

11. The Division's Guidelines for Presentation of Cases by Witnesses, paragraphs 1 through 6, are applicable.
12. The parties anticipate that they will need one full day for their presentations in this case. Presentation at hearing will proceed pursuant to 19.15.4 NMAC, except as modified below. Notwithstanding the presentation outline below, each party will have an opportunity to cross-examine an individual witness directly following oral testimony of that witness, with redirect to follow cross-examination, before a party moves to the direct testimony of a new witness.
 - a. Opening statements by all parties;
 - b. Case-in-Chief by Applicant (including possible additional oral testimony of Applicant's witnesses);
 - c. Cross-examination by Mewbourne;
 - d. Redirect by Applicant;
 - e. Case-in-Chief by Mewbourne (including possible additional oral testimony of Mewbourne's witnesses);
 - f. Cross-examination by Applicant;
 - g. Redirect by Mewbourne;
 - h. Rebuttal by Applicant and Mewbourne;
 - i. Closing Statement of Applicant;
 - j. Closing Statement of Mewbourne.

The foregoing stipulations are hereby agreed to and accepted this 8th day of July, 2020.

By: /s/Sharon T. Shaheen

Sharon T. Shaheen

John F. McIntyre

MONTGOMERY & ANDREWS, P.A.

P.O. Box 2307

Santa Fe, New Mexico 87504-2307

Telephone: (505) 982-2678

Email: sshaheen@montand.com

jmcintyre@montand.com

Attorneys for Tom M. Ragsdale

and

By: /s/ James Bruce

James Bruce, Esq.

PO Box 1056

Santa Fe, NM 87504-1056

Attorney for Mewbourne Oil Co.