

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

**IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:**

**APPLICATION OF ASCENT ENERGY, LLC
FOR COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO.**

Case No. 21507

**APPLICATION OF ASCENT ENERGY, LLC
FOR COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO.**

Case No. 21508

UNDISPUTED AND DISPUTED MATERIAL FACTS

This statement of undisputed and disputed material facts is submitted by Ascent Energy, LLC and Phillip White as required by the Oil Conservation Division:

Overview of Cases:

Case No. 21507: Ascent Energy, LLC seeks an order pooling all mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of Lot 3, SE/4NW/4, and E/2SW/4 (the E/2W/2) of Section 4 and the E/2W/2 of Section 9, Township 20 South, Range 33 East, NMPM. The unit will be dedicated to the Silver Fed. Com. Well Nos. 503H and 602H, with first take points in the SE/4SW/4 of Section 9 and last take points in Lot 3 of Section 4.

Case No. 21508: Ascent Energy, LLC seeks an order pooling all mineral interest owners in the Wolfcamp formation underlying a horizontal spacing unit comprised of Lot 3, SE/4NW/4, and E/2SW/4 (the E/2W/2) of Section 4 and the E/2W/2 of Section 9, Township 20 South, Range 33 East, NMPM. The unit will be dedicated to the Silver Fed. Com. Well No. 702H, with a first take point in the SE/4SW/4 of Section 9 and a last take point in Lot 3 of Section 4.

Undisputed Material Facts:

These cases were originally set for hearing on November 5, 2020. Phillip White, the sole working interest owner in the NE/4SW/4 of Section 4, has a 12.48% interest in the proposed units by virtue of a Bureau of Land Management lease. He desired additional time for discussions between the parties, and the cases were continued to the January 21, 2021 docket. Negotiations have been conducted, but the parties cannot agree on terms.

Disputed Material Facts:

Counsel for Phillip White agrees that the above accurately reflects what Ascent is seeking in these cases and the status of the parties' discussions. As noted in Mr. White's testimony, Mr. White is requesting that the Oil Conservation Division issue two separate orders for the Bone Spring wells which are at issue in Case No. 21507, along with other relief. For the avoidance of doubt, Mr. White thus objects to a single order being issued in Case No. 21507 and to a single order covering both Bone Spring wells. In addition to other issues raised in his testimony, Mr. White also objects to Ascent's request that the Division issue pooling orders in these cases with a 200% risk charge.

Respectfully submitted,



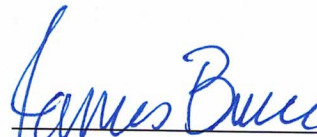
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 14th day of January, 2021 by e-mail:

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James Bruce