

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

**APPLICATIONS OF MEWBOURNE OIL COMPANY
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

Case Nos. 23365 & 23366

**APPLICATIONS OF EARTHSTONE OPERATING, LLC
FOR A HORIZONTAL SPACING UNIT
AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

Case Nos. 23475 & 23477

ORDER DENYING MOTION TO DISMISS

This matter came before the Division by motion filed on or about April 17, 2023. The motion was fully briefed and was argued at the May 4, 2023 hearing. Having reviewed and considered the briefing, exhibits, and arguments of counsel, the Division concludes that the issues raised in the briefing warrant a full hearing and that the Motion fails to establish that movant is entitled to judgment on the issues to the legal certainty required to obviate the need for a full hearing on the issues.

The Motion is DENIED. These consolidated cases shall proceed to hearing as scheduled on September 21, 2023.

IT IS SO ORDERED.

**STATE OF NEW MEXICO
OIL CONSERVATION DIVISION**

Rip Harwood

**RIP HARWOOD
HEARING EXAMINER**

Date: July 24, 2023