

February 4, 2016

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Via Email & U.S. Mail
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Florene Davidson
Oil Conservation Division
New Mexico Department of Energy, Minerals and Natural Resources
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

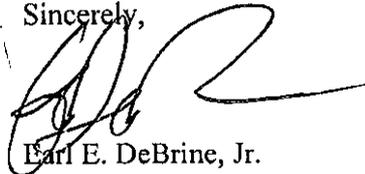
Re: Application of Matador Production Company, Case No. 15366
(De Novo); Order No. R-14097

Dear Ms. Davidson:

Transmitted herewith for filing is Matador Production Company's Pre-Hearing Statement in the above-referenced case. I am also sending the same to you today by First Class U.S. mail.

Thank you for your assistance. Please contact me if you have any questions.

Sincerely,



Earl E. DeBrine, Jr.

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Enclosures

cc w/encl.: J.E. Gallegos
Michael J. Condon
William R. Brancard
Dana Arnold
Jennifer Bradfute

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

RECEIVED OGD
2016 FEB -4 P 4: 50

APPLICATION OF MATADOR
PRODUCTON COMPANY
FOR A NON-STANDARD OIL SPACING
AND PRORATION UNIT, COMPULSORY
POOLING, AND NON-STANDARD LOCATION
LEA COUNTY, NEW MEXICO.

CASE NO. 15366 (De Novo)
ORDER NO. R-14097

MATADOR'S PRE-HEARING STATEMENT

Matador Production Company ("Matador"), submits this Pre-Hearing Statement for the above-referenced case pursuant to the rules of the Oil Conservation Commission.

APPEARANCES

APPLICANT

Matador Production Company
One Lincoln Centre
5400 LBJ Freeway,
STE 1500
Dallas, TX 75240

ATTORNEY

Earl E. DeBrine, Jr., Esq.
Jennifer L. Bradfute, Esq.
MODRALL, SPERLING, ROEHL,
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and
Dana Arnold, Esq.
Matador Resources Company
5400 Lyndon B. Johnson Freeway, Suite 1500
Dallas, TX 75240
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OPPONENT

Amtex Energy, Inc.
P.O. Box 3418
Midland, TX 79702

ATTORNEY

J.E. Gallegos, Esq.
Michael J. Condon, Esq.
GALLEGOS LAW FIRM, P.C.
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Santa Fe, New Mexico 87505
(505) 983-6686

STATEMENT OF CASE

APPLICANT:

After holding an evidentiary hearing on September 3, 2015, the Division entered its Order in Case No. 15366 granting Matador's application pooling of all the mineral interests to form a non-standard 160-acre, more or less, oil spacing and proration unit in the Bone Spring formation, comprised of the W/2 E/2 of Section 16, Township 19 South, Range 34 East, N.M.P.M., Lea County, New Mexico for its proposed Cimarron State 16-19S-34E RN #133H well.

Opponent Amtex Energy, Inc. filed an entry of appearance 22 days after the Division held its hearing. Although it failed to appear at the hearing, Amtex filed an appeal of the Division Order based upon the incorrect assertion that it is a "*party of record*" in this Case.

The Division Director in its Order ruled that Amtex's entry of appearance was untimely and, therefore, Amtex is *not* a party of record and lacks standing for its appeal, stating:

(12) The filing of the Entry of Appearance by Amtex was 22 days following the formal hearing of Case No. 15366 on September 3, 2015 Docket. Applicant's Exhibit No. 5 documents three return receipt cards (Article Numbers 7014 3490 001 8089 7522, 7014 3490 001 8089 7782, and 7014 3490 001 8089 7713) addressed to Amtex and returned to the Applicant with an endorsed delivery date of August 12, 2015. Applicant testified that additional attempts to contact Amtex by phone were unsuccessful. Based on the delivery date of the return receipt cards, Amtex received proper notice within the 20-day requirement found in Division Rule 19.15.4.9(B) NMAC. Additionally, Amtex made no effort following notice to enter an appearance to protest or request a continuance of the case to adequately prepare a protest of the application. Therefore, Entry of Appearance submitted by Amtex was not timely and should not be considered.

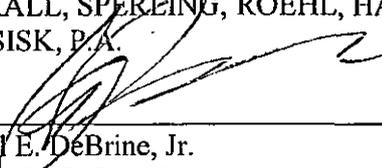
PROCEDURAL MATTERS:

On January 26, 2016 Matador filed a motion to dismiss Amtex's putative appeal on the grounds that Amtex lacks standing to appeal the Division Order No. R-14097. The parties have agreed that this is the only matter to be considered by the Commission at the February 11, 2016 hearing.

Respectfully submitted,

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

By: _____


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ATTORNEYS FOR MATADOR PRODUCTION COMPANY

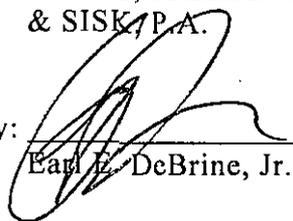
WE HEREBY CERTIFY that a true and correct copy of the foregoing pleading was mailed to the following counsel of record this 4th day of February, 2016:

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By: _____


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