

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

**APPLICATION OF PERMIAN
RESOURCES OPERATING, LLC FOR
COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

CASE NOS. 23825–23827

**MOTION TO STRIKE V-F PETROLEUM'S
ENTRY OF APPEARANCE AND OBJECTION**

Permian Resources Operating, LLC (“Permian Resources”), through undersigned counsel, submits this motion to strike V-F Petroleum Inc.’s (“V-F Petroleum”) entry of appearance and objection, filed on September 18, 2023. The motion should be granted for two reasons.

First, V-F Petroleum is not subject to these pooling proceedings. Under 19.15.4.10.B NMAC, a “person entitled to notice may enter an appearance at any time”; however, V-F Petroleum is not entitled to notice because it does not own an interest in any of the tracts that Permian Resources is seeking to pool in these cases. Only a party with an “interest in the mineral estate” is entitled to notice in compulsory pooling cases. 19.15.4.12.A(1)(a) NMAC. V-F Petroleum does not own an interest in the mineral estate, is not entitled to notice, and did not receive notice. The regulations do not allow V-F Petroleum to enter an appearance as it has attempted to do.

Second, V-F Petroleum did not properly intervene and has articulated no basis to do so. As noted above, V-F Petroleum does not own an interest in any of the tracts that Permian Resources is seeking to pool, and neither has it established standing in these cases as a basis for intervention. A motion to intervene requires that a party establish “the nature of [the] intervenor’s interest in the application” and that the party explain their opposition “of the order applicant seeks.”

19.15.4.11.A(3)-(4) NMAC. Intervention is appropriate only if the “intervenor’s participation will contribute substantially to the prevention of waste[] [and] protection of correlative rights.”

19.15.4.11.C NMAC. V-F Petroleum has made none of the showing required to intervene in these cases.

CONCLUSION

For the above-stated reasons, V-F Petroleum’s entry of appearance and objection in these cases should be stricken and the cases should be permitted to proceed to hearing by affidavit on October 5, 2023.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2023, I served a copy of the foregoing document to the following counsel of record via Electronic Mail:

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