

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

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

Case Nos. 22191 and 22192

**MOTION TO STRIKE ENTRY OF APPEARANCE
AND TO DENY MOTION TO RE-OPEN**

Mewbourne Oil Company (“Mewbourne”) moves the Division to strike the entry of appearance filed by Matador Production Company (“Matador”) in the above applications, and to deny its motion to re-open the two cases. In support thereof, Mewbourne states:

1. In Case No. 22191 Mewbourne seeks an order pooling of all mineral interests in the Bone Spring formation underlying a 320-acre horizontal spacing unit comprised of the N/2S/2 of Section 11 and the N/2S/2 of Section 12, Township 24 South, Range 28 East, NMPM. In Case No. 22192 Mewbourne seeks an order pooling of all mineral interests in the Bone Spring formation underlying a 320-acre horizontal spacing unit comprised of the S/2S/2 of Section 11 and the S/2S/2 of Section 12.

2. The cases were set for hearing on October 7, 2021. Mewbourne gave proper notice of the applications: The record reflects that Matador received the certified mailing on September 22, 2021, two weeks before the hearing. Matador did not enter an appearance in the cases before the hearing date nor did it appear at the hearing.

3. The cases were presented on October 7, 2021, and taken under advisement. Matador filed a purported entry of appearance in the cases on October 12, 2021, and filed its motion on October 15, 2021.

4. Based on the foregoing, Matador is not a party of record to these cases. Under NMAC 19.15.4.10 a “party of record” is a person entitled to notice who files a written entry of

appearance before hearing, or an oral appearance at hearing. Matador did neither, and it should not be entitled to re-visit these cases. See Commission Order No. R-14097-A.

5. As a result of not being a party of record, Matador was not entitled to file a motion to re-open, and that motion should be denied.

WHEREFORE, Mewbourne requests that the entry of appearance be stricken from the record and the motion to re-open denied, and that pooling orders be entered in its cases.

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 19th day of October, 2021 by e-mail:

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