

**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:**

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

**Case No. 21361
Case No. 21362
Case No. 21363
Case No. 21364**

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

**Case No. 21393
Case No. 21394**

**APPLICATION OF APACHE CORPORATION
FOR COMPULSORY POOLING AND
APPROVAL OF A HORIZONTAL SPACING
UNIT FOR A POTASH DEVELOPMENT
AREA AND PILOT PROJECT,
EDDY COUNTY, NEW MEXICO**

**Case No. 21489
Case No. 21490
Case No. 21491**

UNOPPOSED MOTION FOR A CONTINUANCE

Ascent Energy, LLC (“Ascent”), by and through its counsel, Abadie & Schill, PC, hereby respectfully requests to continue the December 3, 2021, hearing before the Oil Conservation Division (“Division”) in this matter to February 17, 2022. In support whereof, the following is shown:

Ascent has entered into a tentative agreement to convey all of its interests in the lands subject to this proceeding to another company. This transaction is subject to the completion of due

diligence by the proposed buyer, with a planned closing date set for December 15, 2021. If the transaction is consummated, the buyer will be the proposed operator under Ascent's applications. Given this potential transaction, a continuance of these cases would result in the most efficient use of the Division's and parties' time and resources.

First, the potential buyer of Ascent's interests is hopeful that it would be able to enter into agreements to resolve the competing development plans with Mewbourne Oil Company ("Mewbourne") and/or Apache Corporation ("Apache"), either narrowing the issues to be decided at hearing or obviating the need for a hearing altogether.

Second, a continuance would ensure that the Division is able to hear the testimony directly from the proposed operator under Ascent's applications, assuming the pending transaction closes. This would eliminate any potential inefficiencies that would be caused by a new operator substituting for Ascent after the Division's rulings in these cases while the cases are on potential appeal to the Commission.

Ascent has conferred with counsel for Mewbourne, Apache, and EOG Resources, Inc. ("EOG") regarding this request for a continuance, and counsel does not object. Apache desires that the new date on February 17, 2022, allow for a status conference to discuss how the cases would move forward. Mewbourne agrees to the status conference on the new date at the discretion of the Division.

Wherefore, premises submitted, Ascent respectfully requests that the Division grant this Motion to continue the hearing set for December 3, 2021, to February 17, 2022, including an amendment to the Prehearing Order, and its deadlines, to reflect this change, and allow for a status conference on said new date to the extent the Division finds a status conference appropriate.

Respectfully Submitted,

ABADIE & SCHILL, PC

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed with the New Mexico Oil Conservation Division and was served on counsel of record via electronic mail on November 23, 2021:

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