

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

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

Case No. 23178

MOTION TO DISMISS

Pursuant to NMSA 1978, Section 70-2-17 (1977), Pride Energy Company (“Pride”) hereby requests that the Division dismiss the above-referenced application. In support of this request, Pride states as follows.

1. On October 18, 2022, Mewbourne Oil Company filed an application seeking to pool all uncommitted interests in the Bone Spring formation underlying a 240-acre, more or less, standard horizontal spacing unit comprised of the E/2 NW/4 of Section 21 and the E/2 W/2 of Section 16, Township 19 South, Range 33 East, in Lea County, New Mexico (“Unit”).

2. NMSA 1978, Section 70-2-17 (1977) provides that an “owner or owners of royalty interests or undivided interests in oil and gas minerals . . . may validly pool their interests and develop their lands as a unit.” Section 70-2-17 further contemplates that such an owner may request an order from the division pooling “such lands or interests.”

3. 19.15.2.7(O)(7) NMAC defines “owner” as “the person who has the right to drill into and to produce from a pool, and to appropriate the production either for the person or for the person and another.”

4. At the time of filing the application, Mewbourne owned no interest in the Unit. On November 18, 2022, Mewbourne’s landman admitted that Mewbourne owned no interest in the Unit and that Mewbourne had no interest in the Unit at the time of filing the application.

WHEREFORE, Pride requests that the Division enter an order dismissing the above-referenced application. Pride further requests that a hearing on this motion be set on the first available docket, if the hearing examiner believes a hearing is necessary.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: /s/Sharon T. Shaheen

Sharon T. Shaheen

Daniel B. Goldberg

ec: William McGinnis

P.O. Box 2307

Santa Fe, NM 87504-2307

(505) 986-2678

sshaheen@montand.com

dgoldberg@montand.com

wmcginnis@montand.com

Attorneys for Pride Energy Company

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served by email upon the following on November 28, 2022:

Dana S. Hardy
Jaclyn M. McLean
Yaithza Pena
Hinkle Shanor LLP
P.O. Box 2068
Santa Fe, NM 87504-2068
(505) 982-4554
dhardy@hinklelawfirm.com
jmclean@hinklelawfirm.com
ypena@hinklelawfirm.com

Counsel for Mewbourne Oil Company

Deana M. Bennett
Bryce H. Smith
Modrall, Sperling, Roehl, Harris & Sisk
Post Office Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
deana.bennett@modrall.com
bryce.smith@modrall.com

Attorneys for Marathon Oil Permian LLC

Ocean Munds-Dry
Elizabeth Ryan
Joby Rittenhouse
ConocoPhillips
1048 Paseo de Peralta
Santa Fe, New Mexico 87501
(505) 780-8000
ocean.munds-dry@conocophillips.com
beth.ryan@conocophillips.com
joby.rittenhouse@conocophillips.com

Attorneys for COG Operating LLC, Concho Oil & Gas LLC and Mongoose Minerals LLC

Michael H. Feldewert
Adam G. Rankin
Paula M. Vance
Holland & Hart, LLP
P.O. Box 2208
Santa Fe, NM 87504
mfeldewert@hollandhart.com
agrankin@hollandhart.com
jbroggi@hollandhart.com
pmvance@hollandhart.com

Attorneys for MRC Explorers Resources, LLC, MRC Spiral Resources, LLC, and MRC Delaware Resources, LLC

Mathew M. Beck
Pfeifer, Hanson, Mullins & Baker, P.A.
P.O. Box 25245
Albuquerque, NM 87125-5245
mbeck@peiferlaw.com

Attorneys for Yates Energy Corporation and Jalapeno Corporation

/s/ Sharon T. Shaheen