

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

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

**Case No. 23365  
Case No. 23366**

**APPLICATIONS OF EARTHSTONE OPERATING, LLC,  
FOR A HORIZONTAL SPACING UNIT AND  
COMPULSORY POOLING, LEA COUNTY, NEW MEXICO**

**Case No. 23475  
Case No. 23477**

**REQUEST FOR SCHEDULING ORDER**

Earthstone Operating, LLC, (“Earthstone”), through its undersigned attorneys, respectfully requests that Oil Conservation Division (“Division”) issue a Scheduling Order for managing the subsequent pleadings that should follow the Motion to Dismiss Earthstone’s cases, above referenced, filed by Mewbourne Oil Company (“Mewbourne”) on April 17, 2023. In support of this Request, the following is shown:

1. Mewbourne filed a Motion to Dismiss Earthstone’s applications in Case Nos. 23475 and 23477. These applications are set for a contested hearing on May 4, 2023, with Mewbourne’s applications in Case Nos. 23365 and 23366, pursuant to Amended Prehearing Statement dated April 10, 2023.

2. Given the filing of Mewbourne’s Motion, Earthstone needs a reasonable amount of time to provide the Division with a response to the Motion to Dismiss that sufficiently addresses the issues raised by Mewbourne and informs the Division of Earthstone’s position -- and Mewbourne should be allowed sufficient time to reply to Earthstone’s response, if so desired -- in order to ensure that the Division has the full background for making an informed ruling.

3. Therefore, in accordance with Mewbourne's request in the last paragraph of its Motion to Dismiss, that the Division "set a schedule so that Earthstone may respond," Earthstone asks for permission to respond by Friday, April 28, 2023; that Mewbourne be allowed to reply, at its discretion, by May 3, 2023; and following the submissions, that a hearing date be set for the pleadings on May 4, 2023, to accommodate consideration of Mewbourne's Motion. Counsel has been informed of this request and agrees to a May 4 argument date.

Respectfully Submitted,

**ABADIE & SCHILL, P.C.**

*/s/ Darin C. Savage*

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***Attorneys for Earthstone Operating,  
LLC***

**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 April 18, 2023:

James Bruce – jamesbruc@aol.com  
*Attorney for Mewbourne Oil Company*

Blake C. Jones – blake.jones@step toe-johnson.com  
*Attorney for Northern Oil and Gas, Inc.*

*/s/ Darin C. Savage*

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Darin C. Savage