

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. 23708 & 23709

**MEWBOURNE'S REPLY TO CIMAREX'S RESPONSE TO MOTION, AND
RESPONSE TO AMERICAN'S MOTION FOR CONTINUANCE**

Mewbourne Oil Company ("Mewbourne"), for its reply and response, states:

1. Mewbourne moved to rescind or dismiss a Notice of Objection to Hearing by Affidavit filed by Cimarex Energy Co. ("Cimarex"). Mewbourne withdraws that motion, and requests that the case be set for a status conference on September 7th.

2. American Energy Resources LLC ("American") has (twice) requested a continuance of the cases to January 18, 2024. Mewbourne requests that American's motion be denied, for the following reasons:

(a) Although Mewbourne did give notice of the hearing to American,¹ Mewbourne has now determined that American's interest in the subject wells is a royalty interest, not a working interest. Therefore, American is not entitled to participate in the subject wells, and was not entitled to receive notice of the poolings.

(b) Because of the foregoing, Mewbourne does not seek to pool American, and hereby dismisses American from these cases.

(c) Although the Division does not determine title matters, it must make basic title determinations. And, since Mewbourne is not seeking to pool American, American has

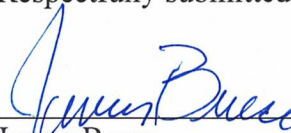
¹ American states that it did not receive notice of the hearing. The Postal Service's online records show that American has not picked up the notice letter sent to it even though delivery was attempted two weeks ago.

no right to request a continuance. Not to mention, it has shown no basis for the statements made in its pleadings.

3. This pleading is unopposed by Cimarex.

WHEREFORE, Mewbourne requests that the cases be set for a status conference on September 7th, and that a hearing date be set at that time.

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 6th day of September, 2023 by e-mail:

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