

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

**AMENDED APPLICATION OF PRIDE ENERGY  
COMPANY FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**Case Nos. 23327-23328**

**MOTION TO VACATE PRE-HEARING ORDER AND HAVE CASES HEARD BY  
AFFIDAVIT ON FEBRUARY 15, 2024**

PRIDE ENERGY COMPANY (“Pride”) requests that the Pre-Hearing Order issued on December 21, 2023 in these matters, together with Case Nos. 23177, 23179, and 23345, be vacated and that Case Nos. 23327-23328 be heard by affidavit on February 15, 2024, pursuant to 19.15.4.12(A)(1)(b) NMAC. In support of this motion, Pride states as follows:

1. Case Nos. 23327, 23328, 23177, 23179, and 23345 were previously consolidated for a contested hearing on competing applications filed by Pride and Mewbourne Oil Company.
2. On December 21, 2023, the Division entered a pre-hearing order setting the competing applications for hearing on February 15, 2024.
3. Today, February 14, 2024, Mewbourne filed a motion to dismiss Case Nos. 23177, 23179, and 23345 and a notice withdrawing its objection to presentation of Case Nos. 23327-23328 by affidavit.
4. No other party that has entered an appearance to date has objected to Case Nos. 23327-23328 proceeding by affidavit.

WHEREFORE, Pride asks the Division to vacate the prehearing order issued December 21, 2023, and allow Case Nos. 23327-23328 to proceed by affidavit on February 15, 2024.

Respectfully submitted,

**MONTGOMERY & ANDREWS, P.A.**

By: /s/Sharon T. Shaheen

Sharon T. Shaheen

Samantha H. Catalano

cc: William McGinnis

P.O. Box 2307

Santa Fe, NM 87504-2307

(505) 986-2678

[sshaheen@montand.com](mailto:sshaheen@montand.com)

[scatalano@montand.com](mailto:scatalano@montand.com)

[wmcginnis@montand.com](mailto: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 February 14, 2024:

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

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

*Attorneys for Yates Energy Corporation  
and Jalapeno Corporation*

*Counsel for Earthstone Permian, LLC, Earthstone  
Operating, LLC, and Mewbourne Oil Company*

Michael H. Feldewert  
Adam G. Rankin  
Paula M. Vance  
Holland & Hart, LLP  
P.O. Box 2208  
Santa Fe, NM 87504  
[mfeldewert@hollandhart.com](mailto:mfeldewert@hollandhart.com)  
[agrarkin@hollandhart.com](mailto:agrarkin@hollandhart.com)  
[jbroggi@hollandhart.com](mailto:jbroggi@hollandhart.com)  
[pmvance@hollandhart.com](mailto:pmvance@hollandhart.com)

*Attorneys for MRC Explorers Resources,  
LLC, MRC Spiral Resources, LLC, MRC Delaware  
Resources, LLC, XTO Energy Inc., and COG  
Operating Co.*

/s/ Sharon T. Shaheen