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 <u>AFFIDAVIT ON FEBRUARY 15, 2024</u>

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.

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.

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.

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Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: /s/Sharon T. Shaheen

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served by email upon the following on February 14, 2024:

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