

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

APPLICATIONS OF FLAT CREEK RESOURCES, LLC
FOR COMPULSORY POOLING AND NOTICE OF
OVERLAPPING SPACING UNIT,
EDDY COUNTY, NEW MEXICO

Case Nos. 24259-24260, 24262-24263

APPLICATIONS OF FLAT CREEK RESOURCES, LLC
FOR COMPULSORY POOLING AND NOTICE OF
OVERLAPPING SPACING UNIT,
EDDY COUNTY, NEW MEXICO

Case Nos. 24732-24735

APPLICATION OF MARATHON OIL PERMIAN
LLC FOR A NON-STANDARD UNIT,
AND COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

Case No. 24574

APPLICATION OF MARATHON OIL PERMIAN
LLC FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

Case No. 24575

APPLICATIONS OF CIVITAS PERMIAN OPERATING,
LLC FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

Case Nos. 24712-24714

**UNOPPOSED JOINT MOTION FOR AMENDED PREHEARING ORDER TO
INCLUDE NEWLY-FILED AMENDED APPLICATIONS, DISMISSAL OF
PREVIOUSLY-FILED APPLICATIONS, AND CONSOLIDATION OF CIVITAS
PERMIAN OPERATING, LLC’S COMPETING APPLICATIONS**

FLAT CREEK RESOURCES, LLC (“Flat Creek”) and CIVITAS PERMIAN
OPERATING, LLC (“Civitas”) hereby jointly request the Division: (1) issue an amended pre-
hearing order to consolidate Flat Creek Case Nos. 24732-24735 and Civitas Case Nos. 24712-
24714 with Marathon Oil Permian LLC (“Marathon”) Case Nos. 24574-24575 for purposes of

the contested hearing previously set for September 5, 2024, and (2) dismiss Flat Creek's Case Nos. 24259-24260 and 24262-24263. In support, Flat Creek and Civitas state as follows:

1. On June 25, 2024, the Division issued a Pre-Hearing Order setting a contested hearing for September 5, 2024 in Case Nos. 24259-24260, 24262-24263.

2. On June 27, 2024, the Division entered an Amended Pre-Hearing Order, consolidating Case Nos. 24259-24260, 24262-24263 with Marathon Oil Permian LLC Case Nos. 24574-24575 for the contested hearing on September 5, 2024.

3. On July 9, 2024, Flat Creek filed applications in Case Nos. 24732-24735 amending the applications previously filed in Case Nos. 24259-24260, 24262-24263.

4. On July 9, 2024, Civitas filed compulsory pooling applications in Case Nos. 24712-24714 which overlap with Flat Creek's and Marathon's captioned cases within the Bone Spring and Wolfcamp formations. Civitas' cases compete with Marathon's cases.

5. Marathon Case No. 24574 partially overlaps with Flat Creek Case Nos. 24732-24735 and Civitas Case No. 24713 within the Bone Spring formation.

6. Marathon Case No. 24575 partially overlaps with Civitas Case Nos. 24712 and 24714 within the Wolfcamp formation.

7. This Motion is unopposed.

WHEREFORE, Flat Creek and Civitas request that the Division: (1) issue a second amended pre-hearing order consolidating Flat Creek Case Nos. 24732-24735 and Civitas Case Nos. 24712-24714 with Marathon Oil Permian LLC Case Nos. 24574-24575 for purposes of the contested hearing previously set for September 5, 2024, and (2) dismiss Flat Creek's Case Nos. 24259-24260 and 24262-24263.

Respectfully submitted,

MONTGOMERY & ANDREWS, PA.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on counsel of record, by electronic mail on July 19, 2024:

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