

**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.**

By: /s/Sharon T. Shaheen  
Sharon T. Shaheen  
Post Office Box 2307  
Santa Fe, NM 87504-2307  
(505) 986-2678  
[sshaheen@montand.com](mailto:sshaheen@montand.com)  
ec: [wmcginnis@montand.com](mailto:wmcginnis@montand.com)

*Attorney for Flat Creek Resources, LLC*

and

**Civitas Permian Operating, LLC**



Ocean Munds-Dry  
Michael Rodriguez  
309 Johnson St.  
Santa Fe, NM 87501  
(505) 592-0521  
(303) 312-8518  
[omundsdry@civiresources.com](mailto:omundsdry@civiresources.com)  
[mrodriguez@civiresources.com](mailto:mrodriguez@civiresources.com)  
*Attorneys for Civitas Permian Operating, LLC*

**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:

Darin C. Savage  
Andrew D. Schill  
William E. Zimsky  
ABADIE & SCHILL, PC  
214 McKenzie Street  
Santa Fe, NM 87501  
(970) 385-4401  
[darin@abadieschill.com](mailto:darin@abadieschill.com)  
[andrew@abadieschill.com](mailto:andrew@abadieschill.com)  
[bill@abadieschill.com](mailto:bill@abadieschill.com)

*Attorneys for Coterra Energy, Inc., and its subsidiaries, including Cimarex Energy Co. and Magnum Hunter Production, Inc.*

Earl E. DeBrine, Jr.  
Deana M. Bennett  
Yarithza Peña  
Modrall, Sperling, Roehl, Harris & Sisk, P.A.  
P.O. Box 2168  
500 Fourth Street NW, Suite 1000  
Albuquerque, NM 87103-2168  
(505) 848-1800  
[earl.debrine@modrall.com](mailto:earl.debrine@modrall.com)  
[deana.bennett@modrall.com](mailto:deana.bennett@modrall.com)  
[yarithza.pena@modrall.com](mailto:yarithza.pena@modrall.com)

*Attorneys for Marathon Oil Permian LLC*