

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

**APPLICATION OF MEWBOURNE OIL
COMPANY FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 25750

BRIEF IN SUPPORT OF NOTICE OF AMENDED EXHIBIT A TO ORDER R-24114

Pursuant to the Division's instructions via email dated July 31, 2026, Mewbourne Oil Company submits the following explanation for filing a Notice of Amended Compulsory Pooling Checklist in this matter rather than filing an application for an adjudicatory hearing to amend pooling Order R-24114.

**BACKGROUND ADMINISTRATIVE EVENTS SINCE THE FILING OF
DIVISION ORDER R-24114.**

Division order R-24114 was issued under Case 25750 on December 10, 2025. The initially approved wells were spud under BLM Sundry notices dated December 12, 2025, and have been producing since March of 2026.

In late March of 2026, after inquiring about the appropriate pool for development projects in nearby tracts of land, the Division informed Mewbourne that the Avalon; Wolfcamp (Gas), [71120] pool the Division had initially identified for Order R-24114 was incorrect. Mewbourne met with the Division in early April and was informed that the Avalon; Wolfcamp, Southwest [97068] oil pool should have been used for the pooled acreage and that the Compulsory Pooling Checklist for Order R-24114 should be modified to reflect this Division change in the pool. Since the wells had been drilled and completed under the approved gas spacing unit, the Division further instructed Mewbourne to seek approval of a non-standard spacing unit for the pooled acreage. The

non-standard spacing unit for this oil pool was approved by the Division in July of 2026 under Administrative Order NSP-2424.

AN ADJUDICATORY HEARING IS UNNECESSARY SINCE THERE IS NOTHING TO ADJUDICATE AND THE CHANGES SIMPLY CORRECT ERRORS IN THE FILED COMPULSORY POOLING CHECKLIST RESULTING FROM THE DIVISION'S INCORRECT DESIGNATION OF THE POOL.

An application for an “adjudicatory hearing” under NMRA 19.15.4.8, and the subsequent notice and docketing on the Division Examiner’s busy adjudicatory hearing docket, is appropriate when there is a matter requiring the exercise of discretion, judgment or an adjudication of issues. That is not the case here.

Mewbourne has modified the Compulsory Pooling Checklist for Order R-24114 to conform that checklist with the administrative actions and corrections made by the Division since the issuance of that pooling order, namely:

- The change in the Division-designated pool for the pooled acreage from a gas pool (Avalon; Wolfcamp (Gas) [71120]) to an oil pool (Avalon; Wolfcamp, Southwest [97068]);
- The Division’s subsequent approval of a non-standard horizontal oil spacing unit for the pooled acreage under Administrative Order NSP-2424; and
- The correction of the primary product identified in the checklist from “gas” to “oil” since the pooled acreage is no longer identified as being within a gas pool (*see* NMRA 19.15.2.7.G defining gas and a gas well).

These corrections do not require the exercise of any discretion, judgment or adjudication by the Division Examiner or Division Director. Instead, these corrections are in the nature of a nunc pro tunc notice to the case file reflecting the corrections and administrative decisions made by the Division affecting the language in the Compulsory Pooling Checklist. *See Mora v. Martinez*,

1969-NMSC-030, ¶ 3 (noting a nunc pro tunc entry “merely corrects the record to reflect what actually was intended and done, although not properly reflected in the record.”)

The Division’s Examiner Hearing docket is busy and burdened with multiple matters requiring careful and efficient allocation of the Division’s resources. Undersigned counsel see no reason to further burden that adjudicatory hearing docket with Division-requested corrections to a pooling order that do not require the exercise of any discretion, judgment or adjudication by the Division Examiner or Division Director. Mewbourne’s counsel therefore filed the corrections as a Notice of Amended Compulsory Pooling Checklist rather than initiating an adjudicatory hearing.

Respectfully submitted,

HOLLAND & HART LLP

By: 

Michael H. Feldewert
Adam G. Rankin
Paula M. Vance
A. Raylee Starnes
215 Lincoln Avenue, Suite 100
Santa Fe, New Mexico 87501
(505) 988-4421
(505) 983-6043 Facsimile
mfeldewert@hollandhart.com
agrarkin@hollandhart.com
pmvance@hollandhart.com
arstarnes@hollandhart.com

ATTORNEYS FOR MEWBOURNE OIL COMPANY

CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2026, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

Deana Bennett
Earl E. DeBrine, Jr.
Modrall, Sperling, Roehl, Harris & Sisk, P.A.
Post Office Box 2168
Albuquerque, New Mexico 87103-2168
(505) 848-1800
deana.bennett@modrall.com
earl.debrine@modrall.com

***Attorneys for Paloma Permian AssetCo, LLC
And Paloma Resources, LLC***



Michael H. Feldewert