

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

APPLICATION OF MATADOR PRODUCTION
COMPANY FOR A NON-STANDARD OIL SPACING
AND PRORATION UNIT AND COMPULSORY
POOLING, LEA COUNTY, NEW MEXICO.

CASE NO. 15363
ORDER NO. R-14053-F

ORDER ON MOTION TO STRIKE

This matter having come before the Commission on a Motion to Strike filed by Matador Production Company ("Matador"), the Commission Chair enters the following findings and order.

1. Matador filed a Motion to Strike ("Motion") with the Commission on December 8, 2016, asking the Commission to strike from the record 6 exhibits attached to Jalapeno Corporation's ("Jalapeno") Application for Rehearing and to remove the exhibits from the record in this case. Jalapeno filed a Response to the Motion.

2. The 6 exhibits were excluded by the Commission during the hearing, upon a motion by Matador, and were not part of the record considered by the Commission in its final Order, Commission Order No. R-14053-E. In its Application for Rehearing, Jalapeno requested that the Commission reconsider its evidentiary ruling on the exhibits and, therefore, attached them to the Application.

3. The Commission finds that the Motion is not well taken. Merely attaching the exhibits to an Application for Rehearing does not change the fact that the exhibits were not part of the record considered by the Commission in its final Order.

IT IS THEREFORE ORDERED THAT the Motion to Strike is denied.

DONE at Santa Fe, New Mexico on this 30th day of December, 2016.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

David R. Catanach

DAVID R. CATANACH, Chair

SEAL

