

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

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

Case No. 23176

MOTION TO DISMISS

Pursuant to NMSA 1978, Section 70-2-17 (1977), Pride Energy Company (“Pride”) hereby requests that the Division dismiss the above-referenced application. In support of this request, Pride states as follows.

1. On October 18, 2022, Mewbourne Oil Company filed an application seeking to pool all uncommitted interests in the Bone Spring formation underlying a 240-acre, more or less, standard horizontal spacing unit comprised of the E/2 NE/4 of Section 21 and the E/2 E/2 of Section 16, Township 19 South, Range 33 East, in Lea County, New Mexico (“Unit”).

2. NMSA 1978, Section 70-2-17 (1977) provides that an “owner or owners of royalty interests or undivided interests in oil and gas minerals . . . may validly pool their interests and develop their lands as a unit.” Section 70-2-17 further contemplates that such an owner may request an order from the division pooling “such lands or interests.”

3. 19.15.2.7(O)(7) NMAC defines “owner” as “the person who has the right to drill into and to produce from a pool, and to appropriate the production either for the person or for the person and another.”

4. At the time of filing the application, Mewbourne owned no interest in the Unit. On November 18, 2022, Mewbourne’s landman admitted that Mewbourne owned no interest in the Unit and that Mewbourne had no interest in the Unit at the time of filing the application.

WHEREFORE, Pride requests that the Division enter an order dismissing the above-referenced application. Pride further requests that a hearing on this motion be set on the first available docket, if the hearing examiner believes a hearing is necessary.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served by email upon the following on November 28, 2022:

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