

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

**APPLICATION OF PALOMA PERMIAN
ASSETCO, LLC FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

CASE NOS. 25187-25192

**APPLICATIONS OF DEVON ENERGY
PRODUCTION COMPANY LP FOR
COMPULSORY POOLING AND APPROVAL
OF OVERLAPPING SPACING UNIT,
LEA COUNTY, NEW MEXICO.**

**CASE NOS. 25353-25357,
25359-25364 & 25366-25369**

PRE-HEARING ORDER

This matter comes before the Oil Conservation Division's ("Division") Hearing Examiner through the Parties' request to consolidate the above cases and set a contested hearing.

BACKGROUND:

1. Paloma Permian AssetCo, LLC ("Paloma") filed Case Nos. 25187-25192 on February 7, 2025.
2. On March 6, 2025, Devon Energy Production Company, LP ("Devon") objected to Paloma's cases proceeding by affidavit.
3. During the March 27, 2025 status conference, Devon maintained their protest and announced plans to file competing applications.
4. On April 8, 2025, Devon filed applications in Case Nos. 25353-25357, 25359-25364, and 25366-25369 that directly compete with Paloma's Cases.
5. On May 6, 2025, COG Operating, LLC and Concho Resources, Inc. ("COG") objected to cases filed by Paloma and Devon announced plans to file competing applications to be noticed on the July 10, 2025 docket.
6. Parties have stipulated a hearing that shall commence on July 29, 2025.

THE HEARING EXAMINER FINDS AND ORDERS:

- A. Case Nos. 25187-25192, 25353-25357, 25359-25364 and 25366-25369 are hereby consolidated for the purposes of a contested hearing, which will commence on **July 29, 2025**, at **9:00 a.m.** and may continue on July 30, 2025.
- B. If objections to a hearing by affidavit are subsequently withdrawn, the cases will proceed by affidavit on August 7, 2025.
- C. The hearing will be recorded and transcribed verbatim by a court reporter.
- D. The hearing shall be conducted in hybrid fashion, in-person at Pecos Hall, 1220 South St. Francis Drive, 1st Floor, Santa Fe, NM and via MS Teams virtual meeting platform (sign in information will be sent to the parties closer to the date of the hearing). It is strongly preferred that Counsel appear in-person while witnesses may be offered in-person or virtually. The Hearing Examiner may modify the format of the hearing consistent with the available resources at the time of the hearing.
- E. Pre-hearing statements shall be filed no later than **9:00 a.m.**, 4 business days prior to the hearing and in addition to the requirements of 19.15.4.13.B(1) NMAC, shall include the following:
 - a. All evidentiary exhibits, documents, affidavits, and full-written testimony of any witness a party offers at the hearing.
 - b. Exhibits must be sequentially marked on every page.
- F. Failure to timely file a complete pre-hearing statement may cause the Hearing Examiner to continue the hearing and/or impose sanctions up to and including the exclusion of late-filed evidence.
- G. Evidentiary objections must be filed no later than 48 hours before the hearing. Rulings on the objections will be addressed as a preliminary matter when the case is called.
- H. All witnesses filing direct testimony shall attend the hearing and may be subject to cross-examination by Counsel and the Division's Examiners.

- I. Requests for continuance shall be filed in writing through the OCD fee portal at least one week prior to the contested hearing for consideration by the Hearing Examiner.
- J. The cases remain on the May 22, 2025 docket for a status conference.
- K. COG shall file a motion to consolidate its competing applications with these matters once case numbers are obtained.

GREGORY CHAKALIAN
HEARING EXAMINER