

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

**APPLICATION OF NEARBURG PRODUCING  
COMPANY FOR DESIGNATION OF A NON-  
STANDARD OIL SPACING AND PRORATION  
UNIT, AN UNORTHODOX SURFACE LOCATION  
AND COMPULSORY POOLING, EDDY COUNTY,  
NEW MEXICO.**

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CASE NO: 14745

**PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by Mewbourne Oil Company (“Mewbourne”) as required by the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Nearburg Producing Company

**ATTORNEY**

J. Scott Hall  
Montgomery & Andrews, P. A.  
Post Office Box 2307  
Santa Fe, New Mexico 87504-2307  
(505) 982-3873

**OPPONENT**

Mewbourne Oil Company  
500 West Texas, Ste. 1020  
Midland, TX 79701  
(432) 682-371-5110

**ATTORNEY**

Michael H. Feldewert  
Adam G. Rankin  
Holland & Hart, LLP  
Post Office Box 2208  
Santa Fe, New Mexico 87504-2208  
(505) 988-4421

**STATEMENT OF THE CASE**

Mewbourne Oil Company (“Mewbourne”) is in the midst of negotiations with Nearburg Producing Company (“Nearburg”) and has requested a continuance of this case from the

November 10th examiner hearing docket to the December 15th docket to accommodate continuing discussions and the opportunity to reach agreement. Should Mewbourne and Nearburg fail to reach agreement, it will be necessary for Mewbourne to object to Nearburg's application as not in the best interest of conservation, the prevention of waste, or the protection of correlative rights.

**OPPONENT'S PROPOSED EVIDENCE**

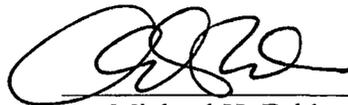
<b>WITNESS Name and Expertise</b>	<b>ESTIMATED TIME</b>	<b>EXHIBITS</b>
Corey Mitchell, Landman	Approx. 30 minutes	Approx. 5
Jason Lodge, Petroleum Geologist	Approx. 20 minutes	Approx. 5
Bryan Montgomery, Petroleum Engineer	Approx. 20 minutes	Approx. 5

**PROCEDURAL MATTERS**

Mewbourne Oil Company has requested a continuance of this case from the November 10th examiner hearing docket to the December 15th docket.

Respectfully submitted,

HOLLAND & HART, LLP



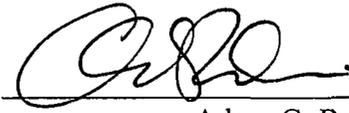
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**ATTORNEYS FOR MEWBOURNE OIL COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that on November 3, 2011, I served a copy of the foregoing document to the following via electronic mail and U.S. mail to:

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Adam G. Rankin