

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

**APPLICATION OF XTO ENERGY, INC.,  
TO POOL ADDITIONAL PARTIES  
UNDER THE TERMS OF ORDER NO. R-21088,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 21256  
ORDER NO. R-21088-A**

**ORDER**

The Director of the New Mexico Oil Conservation Division (“OCD”), having heard this matter through a Hearing Examiner on May 14, 2020, and after considering the testimony, evidence, and recommendation of the Hearing Examiner, issues the following Order.

**FINDINGS OF FACT**

1. On February 12, 2020, OCD issued Order R-21088, rising in Case No. 20826, to XTO Energy, Inc. (“Operator”), to compulsorily pool the uncommitted oil and gas interests within the specified spacing unit (“Unit”).
2. Subsequent to the issuance of Order R-21088, Operator discovered previously unidentified interest owners in the subject Unit.
3. Operator provided evidence that it gave notice of the Application and the hearing to the previously unidentified interest owners.
4. Operator presented evidence through affidavits in support of the Application.
5. No other party presented evidence at the hearing.

**CONCLUSIONS OF LAW**

6. OCD has jurisdiction to issue this Order pursuant to NMSA 1978, Section 70-2-17.
7. Operator is the owner of an oil and gas working interest within the Unit.
8. Operator satisfied the notice requirements for the Application and the hearing as required by 19.15.4.12 NMAC.
9. OCD satisfied the notice requirements for the hearing as required by 19.15.4.9 NMAC.
10. The previously unidentified interest owners have not agreed to commit its interest to the Unit.
11. The pooling of the previously unidentified and uncommitted interest owners in the Unit will prevent waste and protect correlative rights, including the drilling of unnecessary wells.

12. This Order affords to the previously unidentified interest owners the opportunity to produce its just and equitable share of the oil or gas in the pool.

**ORDER**

13. The previously unidentified and uncommitted interest owners in the Unit are hereby pooled in the Unit.

14. Order R-21088 shall remain in full force and effect.

15. OCD retains jurisdiction of this matter for the entry of such orders as may be deemed necessary.

**STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION**



**ADRIENNE SANDOVAL  
DIRECTOR**  
AES/kms

Date: 5/20/2020