



MODRALL SPERLING

L A W Y E R S

June 22, 2018

Florene Davidson
NM Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

Jennifer L. Bradfute
505.848.1845
Fax: 505.848.1882
jlb@modrall.com

**Re: No. 16232 - APPLICATION OF ASCENT ENERGY, LLC
FOR A NONSTANDARD OIL SPACING AND
PRORATION UNIT, COMPULSORY POOLING, ONE
UNORTHODOX WELL LOCATION, LEA COUNTY,
NEW MEXICO.**

**No. 16233 - APPLICATION OF ASCENT ENERGY, LLC
FOR A NONSTANDARD OIL SPACING AND
PRORATION UNIT, COMPULSORY POOLING, ONE
UNORTHODOX WELL LOCATION, LEA COUNTY,
NEW MEXICO.**

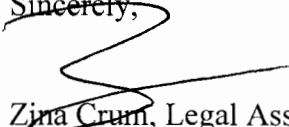
Dear Ms. Davidson:

Enclosed please find three copies of the following:

1. Marathon's Motion for Continuance

Thank you for your assistance. Please contact me if you have any questions.

Sincerely,


Zina Crum, Legal Assistant to
Jennifer L. Bradfute

JLB/zc
Enclosure W3208479.DOC

Modrall Sperling
Roehl Harris & Sisk
P.A.

Bank of America
Centre
500 Fourth Street
NW
Suite 1000
Albuquerque,
New Mexico 87102

PO Box 2168
Albuquerque,
New Mexico
87103-2168

Tel: 505.848.1800

JUN 25 2018 PM 2:36

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

**APPLICATION OF ASCENT ENERGY, LLC
FOR A NON-STANDARD OIL
SPACING AND PRORATION UNIT,
COMPULSORY POOLING, AND
ONE UNORTHODOX WELL LOCATION
LEA COUNTY, NEW MEXICO.**

CASE NO. 16232

**APPLICATION OF ASCENT ENERGY, LLC
FOR A NON-STANDARD OIL
SPACING AND PRORATION UNIT,
COMPULSORY POOLING, AND
ONE UNORTHODOX LOCATION,
LEA COUNTY, NEW MEXICO.**

CASE NO. 16233

MOTION FOR CONTINUANCE

Marathon Oil Permian LLC ("Marathon") moves the Division to continue Case Nos. 16232 and 16233, which are currently scheduled for the June 28, 2018 Examiner Hearing Docket to the August 23, 2018 docket. In support of this motion, Marathon states as follows:

1. Ascent Energy, LLC ("Ascent") has filed application in Case Nos. 16232 and 16233. Ascent's applications seek to develop the Wolfcamp and the Bone Spring formations in the W/2 W/2 of Section 28 and the W/2 W/2 of Section 33, Township 20 South, Range 33 East, NMPM, Lea County, New Mexico.

2. Marathon is an interest owner within this proposed development plan and will be adversely impacted by Ascent's development plans.

3. Marathon is preparing to submit competing development proposals and applications which overlap with the area proposed by Ascent. These competing proposals will

be sent on or around June 22, 2018 and Marathon intends to submit applications to the Division approximately 30 days after these well proposals are submitted.

4. Marathon opposes Ascent's development proposal because it believes that Ascent's plan of development will result in waste and unrecovered reserves.

5. Marathon asks that Case Nos. 16232 and 16233 be continued to the August 23, 2018 docket.

6. Ascent opposes this motion.

WHEREFORE, Marathon Oil Permian LLC respectfully requests that the Division continue the hearing in 16232 and 16233 to the August 23, 2018 docket.

Respectfully submitted,

**MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.**

By: 

Earl E. DeBrine, Jr.
Jennifer L. Bradfute
Post Office Box 2168
Bank of America Centre
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800

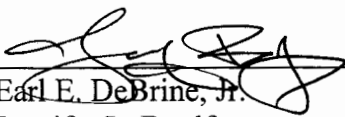
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on June 22, 2018:

James Bruce, Esq.
P.O. Box 1056
Santa Fe, NM 87504
jamesbruc@aol.com

Ocean Munds-Dry
William F. Carr
Elizabeth A. Ryan
1048 Paseo de Peralta
Santa Fe, NM 87501
omundsdry@concho.com
wcarr@concho.com
eryan@concho.com

By: _____


Earl E. DeBrine, Jr.
Jennifer L. Bradfute
Post Office Box 2168
Bank of America Centre
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800

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

**APPLICATION OF ASCENT ENERGY, LLC
FOR A NON-STANDARD OIL
SPACING AND PRORATION UNIT,
COMPULSORY POOLING, AND
ONE UNORTHODOX WELL LOCATION
LEA COUNTY, NEW MEXICO.**

CASE NO. 16232

**APPLICATION OF ASCENT ENERGY, LLC
FOR A NON-STANDARD OIL
SPACING AND PRORATION UNIT,
COMPULSORY POOLING, AND
ONE UNORTHODOX LOCATION,
LEA COUNTY, NEW MEXICO.**

CASE NO. 16233

MOTION FOR CONTINUANCE

Marathon Oil Permian LLC ("Marathon") moves the Division to continue Case Nos. 16232 and 16233, which are currently scheduled for the June 28, 2018 Examiner Hearing Docket to the August 23, 2018 docket. In support of this motion, Marathon states as follows:

1. Ascent Energy, LLC ("Ascent") has filed application in Case Nos. 16232 and 16233. Ascent's applications seek to develop the Wolfcamp and the Bone Spring formations in the W/2 W/2 of Section 28 and the W/2 W/2 of Section 33, Township 20 South, Range 33 East, NMPM, Lea County, New Mexico.

2. Marathon is an interest owner within this proposed development plan and will be adversely impacted by Ascent's development plans.

3. Marathon is preparing to submit competing development proposals and applications which overlap with the area proposed by Ascent. These competing proposals will

be sent on or around June 22, 2018 and Marathon intends to submit applications to the Division approximately 30 days after these well proposals are submitted.

4. Marathon opposes Ascent's development proposal because it believes that Ascent's plan of development will result in waste and unrecovered reserves.

5. Marathon asks that Case Nos. 16232 and 16233 be continued to the August 23, 2018 docket.

6. Ascent opposes this motion.

WHEREFORE, Marathon Oil Permian LLC respectfully requests that the Division continue the hearing in 16232 and 16233 to the August 23, 2018 docket.

Respectfully submitted,

**MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.**

By: 

Earl E. DeBrine, Jr.
Jennifer L. Bradfute
Post Office Box 2168
Bank of America Centre
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800

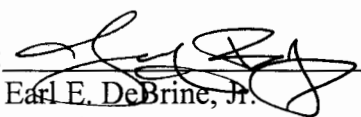
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on June 22, 2018:

James Bruce, Esq.
P.O. Box 1056
Santa Fe, NM 87504
jamesbruc@aol.com

Ocean Munds-Dry
William F. Carr
Elizabeth A. Ryan
1048 Paseo de Peralta
Santa Fe, NM 87501
omundsdry@concho.com
wcarr@concho.com
eryan@concho.com

By: _____


Earl E. DeBrine, Jr.
Jennifer L. Bradfute
Post Office Box 2168
Bank of America Centre
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800

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

**APPLICATION OF ASCENT ENERGY, LLC
FOR A NON-STANDARD OIL
SPACING AND PRORATION UNIT,
COMPULSORY POOLING, AND
ONE UNORTHODOX WELL LOCATION
LEA COUNTY, NEW MEXICO.**

CASE NO. 16232

**APPLICATION OF ASCENT ENERGY, LLC
FOR A NON-STANDARD OIL
SPACING AND PRORATION UNIT,
COMPULSORY POOLING, AND
ONE UNORTHODOX LOCATION,
LEA COUNTY, NEW MEXICO.**

CASE NO. 16233

MOTION FOR CONTINUANCE

Marathon Oil Permian LLC ("Marathon") moves the Division to continue Case Nos. 16232 and 16233, which are currently scheduled for the June 28, 2018 Examiner Hearing Docket to the August 23, 2018 docket. In support of this motion, Marathon states as follows:

1. Ascent Energy, LLC ("Ascent") has filed application in Case Nos. 16232 and 16233. Ascent's applications seek to develop the Wolfcamp and the Bone Spring formations in the W/2 W/2 of Section 28 and the W/2 W/2 of Section 33, Township 20 South, Range 33 East, NMPM, Lea County, New Mexico.

2. Marathon is an interest owner within this proposed development plan and will be adversely impacted by Ascent's development plans.

3. Marathon is preparing to submit competing development proposals and applications which overlap with the area proposed by Ascent. These competing proposals will

be sent on or around June 22, 2018 and Marathon intends to submit applications to the Division approximately 30 days after these well proposals are submitted.

4. Marathon opposes Ascent's development proposal because it believes that Ascent's plan of development will result in waste and unrecovered reserves.

5. Marathon asks that Case Nos. 16232 and 16233 be continued to the August 23, 2018 docket.

6. Ascent opposes this motion.

WHEREFORE, Marathon Oil Permian LLC respectfully requests that the Division continue the hearing in 16232 and 16233 to the August 23, 2018 docket.

Respectfully submitted,

**MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.**

By: 

Earl E. DeBrine, Jr.
Jennifer L. Bradfute
Post Office Box 2168
Bank of America Centre
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800

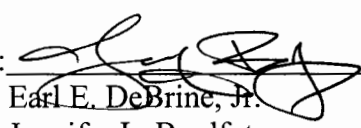
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on June 22, 2018:

James Bruce, Esq.
P.O. Box 1056
Santa Fe, NM 87504
jamesbruc@aol.com

Ocean Munds-Dry
William F. Carr
Elizabeth A. Ryan
1048 Paseo de Peralta
Santa Fe, NM 87501
omundsdry@concho.com
wcarr@concho.com
eryan@concho.com

By: _____


Earl E. DeBrine, Jr.
Jennifer L. Bradfute
Post Office Box 2168
Bank of America Centre
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800