

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

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:

APPLICATION OF ASCENT ENERGY, LLC
FOR COMPULSORY POOLING, EDDY COUNTY,
NEW MEXICO.

Case No. 16481

APPLICATION OF ASCENT ENERGY, LLC
FOR COMPULSORY POOLING, EDDY COUNTY,
NEW MEXICO.

Case No. 16482

ASECNT'S ESPONSE IN OPPOSITION TO MOTION FOR CONTINUANCE

Ascent Energy, LLC ("Ascent") submits this response in opposition to the motion for a continuance filed by Apache Corporation.

I. FACTS.

1. Ascent seeks the following in its cases:

Case No. 16481: Ascent seeks an order pooling all mineral interests in the Bone Spring formation underlying a 320-acre horizontal spacing unit in the **Bone Spring** formation comprised of the W/2W/2 of Section 28 and the W/2W/2 of Section 33, Township 20 South, Range 30 East, NMPM.

Case No. 16482: Ascent seeks an order pooling all mineral interests in the Wolfcamp formation underlying a 320-acre horizontal spacing unit in the **Wolfcamp** formation comprised of the W/2W/2 of Section 28 and the W/2W/2 of Section 33, Township 20 South, Range 30 East, NMPM.

Exhibit A shows the acreage Ascent initially plans to develop in this area, while Exhibit B shows Ascent's acreage in this area. Please note that Apache owns no interest in Section 28.

2. Apache has filed a motion for a continuance stating that it has a development plan in conflict with Ascent's plans.

3. While Ascent has seen no well proposals from Apache, Apache apparently wants to drill 2-1/2 mile East-West laterals in Sections 28 (W/2), 29, and 30.

II. MOTION TO STRIKE.

4. Apache has filed entries of appearance and a pre-hearing statement in Ascent's two cases. However, Apache owns no interest in Section 28 and is not a party to these cases.

5. As a result, Apache was required to file a notice of intervention by October 24th pursuant to NMAC 19.15.4.11.

6. Because it did not do so, Apache's entries of appearance, pre-hearing statement, and motion for continuance should be stricken from the record and its continuance request be summarily denied.

III. OBJECTION TO CONTINUANCE.

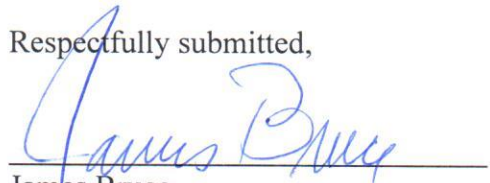
7. Apache has known of Ascent's plans in this area since April, yet it has taken no action. Moreover, Apache's plans are nebulous at best: No well proposals have been sent.

8. Apache's "plans" would totally disrupt Ascent's development plans in Sections 28 and 33. Also, Apache is free to develop its interests in Sections 29 and 30 with two mile laterals which would not disrupt Ascent's plans. Apache cannot even state a date to which these cases should be continued.

9. The Division should not countenance such uncertain plans when Ascent is ready to move forward.

WHEREFORE, Apache's motion for a continuance must be denied.

Respectfully submitted,



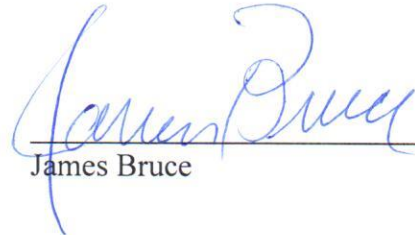
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Attorney for Ascent Energy, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 29th day of October, 2018 via e-mail:

Earl deBrine
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James Bruce


Anvil Pooling Unit
 Township 20 South, Range 30 East
 Section 28: W2W2
 Section 33: W2W2
 320.00 Gross Acres
 Eddy County, NM



Working Interest for: Anvil Fed. Com #401H, Anvil Fed. Com #501H, and Anvil Fed. Com #601H

Ascent Energy, LLC	34.01%
Delmar Lewis Living Trust	13.28%
Lindys Living Trust	13.28%
Moore & Shelton Company Ltd.	9.38%
Javelina Partners	8.85%
Zorro Partners, Ltd.	8.85%
Ard Energy Group Ltd.	6.64%
EOG Y Resources	3.50%
Josephine T Hudson Testamentary Trust	<u>2.21%</u>
Total	100%




Ascent Energy, LLC	
Exhibit	
T20S-R30E	
Case No. 16481	

Anvil Pooling Unit
 Township 20 South, Range 30 East
 Section 28: W2W2
 Section 33: W2W2
 320.00 Gross Acres
 Eddy County, NM

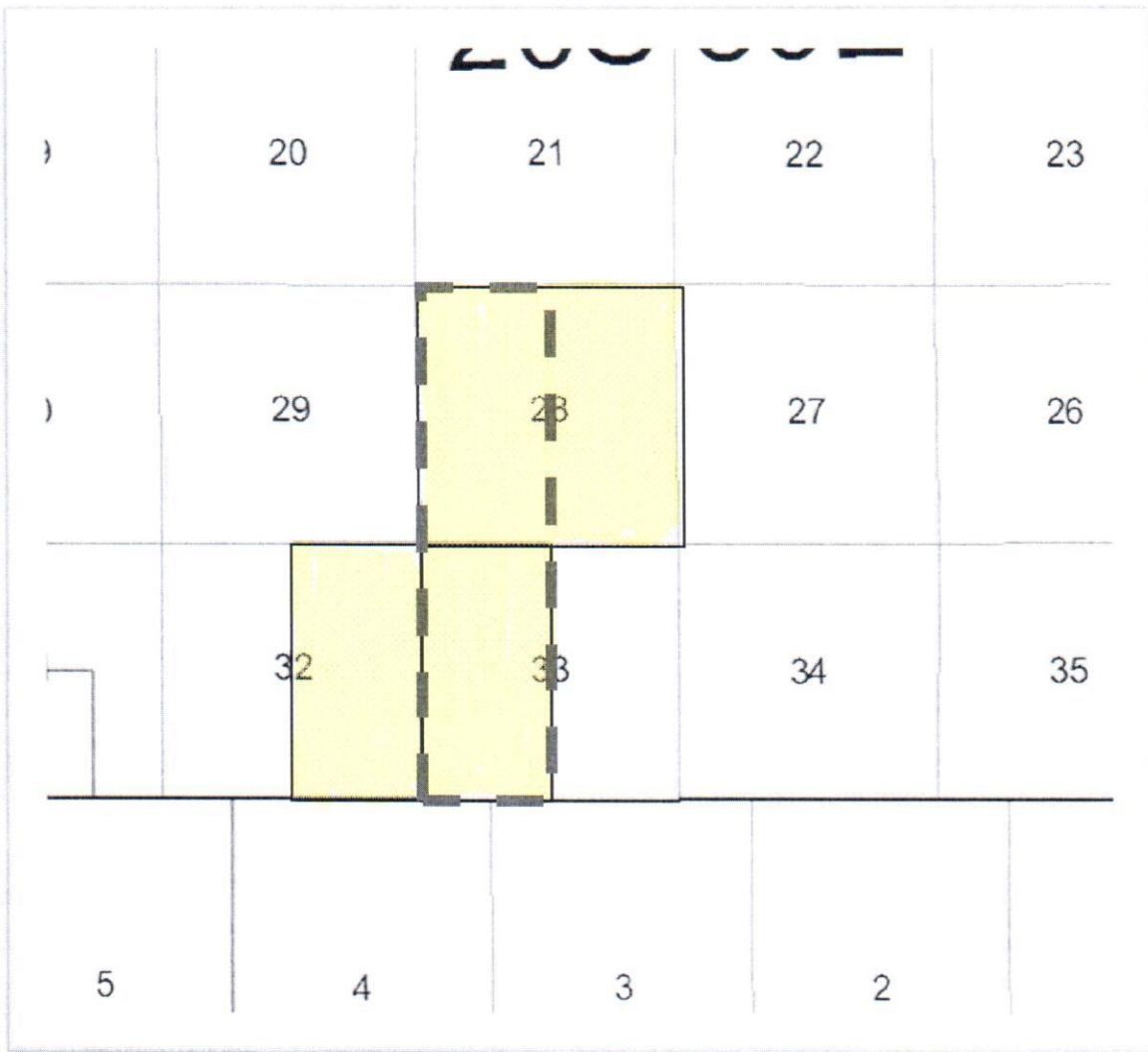


Working Interest for: Anvil Fed. Com #701H and Anvil Fed. Com #702H

Ascent Energy, LLC	34.01%
Delmar Lewis Living Trust	13.28%
Lindys Living Trust	13.28%
Moore & Shelton Company Ltd.	9.38%
Javelina Partners	8.85%
Zorro Partners, Ltd.	8.85%
Ard Energy Group Ltd.	6.64%
EOG Y Resources	3.50%
Josephine T Hudson Testamentary Trust	<u>2.21%</u>
Total	100%

Ascent Energy, LLC	
Exhibit	
T20S-R30E	
Case No. 16482	

Anvil Development Area
Township 20 South, Range 30 East
Section 28: W2
Section 33: W2
640.00 Gross Acres
Eddy County, NM



Anvil Development Area

 : Ascent Acreage

Ascent Energy, LLC



Exhibit

Location Map
T20S-R30E

EXHIBIT

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