

**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 MEWBOURNE OIL COMPANY
FOR A NON-STANDARD SPACING AND PRORATION
UNIT AND COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO.**

Case No. 15888 (RE-OPENED)

MOTION TO DISMISS

Mewbourne Oil Company ("Mewbourne") moves the Division for an order dismissing the above application, and in support thereof, states:

1. By Order No. 14717 Mewbourne force pooled the Bone Spring formation underlying the E $\frac{1}{2}$ W $\frac{1}{2}$ of Section 10, Township 23 South, Range 34 East, N.M.P.M. The well unit is dedicated to the Ibex 10 B3NC Fed. Com. Well No. 1H.

2. Tom Ragsdale, one of the parties pooled, signed the AFE and joined in the well under the pooling order.

3. Mr. Ragsdale has filed an application to re-open Case No. 15888 to determine well costs. His complaints are set forth in his letter to the Division dated December 19, 2018.¹

4. Mewbourne requests dismissal of the application for the following reasons:

(a) Mr. Ragsdale apparently did not have an issue with the costs set out in the AFE, as he executed said AFE and participated in the well.

(b) The costs Mr. Ragsdale is objecting to came in under AFE costs, or are slightly over, but well within reason.²

¹ Mewbourne has only recently received notice of the application by reviewing the February 7th docket sheet. Certified notice of the application has never been received by Mewbourne.

- (c) Overall, actual costs to drill and complete the well came in under the AFE costs.
- (d) Mr. Ragsdale has never reached out to Mewbourne prior to filing his application to discuss any issues related to the costs in question.

5. Because of the nature of the relief requested, Mewbourne has not contacted Mr. Ragsdale for his consent to this motion.³

WHEREFORE, Mewbourne requests that the case be dismissed. In the alternative, Mewbourne requests that the cases be continued to a later hearing.

Respectfully submitted,



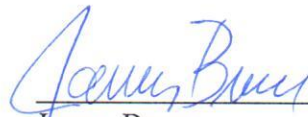
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Attorney for Mewbourne Oil Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 28th day of January, 2019 by facsimile transmission:

Tom Ragsdale
tmragsdale@sianaoil.com


James Bruce

² An itemization of disputed costs will be provided later.

³ A representative of Mewbourne is scheduled to meet with Mr. Ragsdale tomorrow.