

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

**APPLICATION OF TITUS OIL & GAS PRODUCTION,  
LLC, FOR COMPULSORY POOLING, LEA COUNTY  
NEW MEXICO.**

**Case No. 20897**

**APPLICATION OF TITUS OIL & GAS PRODUCTION,  
LLC, FOR COMPULSORY POOLING, LEA COUNTY  
NEW MEXICO.**

**Case No. 20898**

**APPLICATION OF TITUS OIL & GAS PRODUCTION,  
LLC, FOR COMPULSORY POOLING, LEA COUNTY  
NEW MEXICO.**

**Case No. 20899**

**PREHEARING STATEMENT**

This Pre-hearing Statement is submitted by EOG Resources, Inc. by and through its undersigned counsel, Ernest L. Padilla, PADILLA LAW FIRM, P.A., as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT:**

Titus Oil & Gas Production, LLC

**ATTORNEY:**

Montgomery & Andrews Law Firm  
Sharon T. Shaheen  
John F. McIntyre  
PO Box 2307  
Santa Fe, NM 87501  
505-982-3873  
[sshaheen@montand.com](mailto:sshaheen@montand.com)  
[jmcintyre@montand.com](mailto:jmcintyre@montand.com)

**OPPOSITION OR OTHER PARTY:**

EOG Resources, Inc.

**ATTORNEY:**

Ernest L. Padilla  
Padilla Law Firm, P.A.  
P.O. Box 2523  
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APPLICANT:

OPPOSITION OR OTHER PARTY:

**STATEMENT OF CASE**

APPLICANT:

OPPOSITION OR OTHER PARTY:

EOG Resources opposes these cases because Titus Oil & Gas Production, LLC has filed a plan of development for the proposed wells with the Bureau of Land Management (BLM). EOG Resources, Inc. has opposed the plan of development before the BLM. Because the lands and leases committed to the proposed plan of development are federal lands, the BLM has primary jurisdiction over the plan of development. Accordingly, the applications are premature and the Division should defer consideration of these applications until the BLM approves or disapproves the proposed plan of development.

**PROPOSED EVIDENCE**

APPLICANT

WITNESSES

EST. TIME

EXHIBITS

OPPOSITION

WITNESSES

EST. TIME

EXHIBITS

Charles Moran, Landman

15 min.

Approx. 5

Jenna Hessert, Geologist

20 min.

Approx. 5

(EOG may also call an engineering expert)

**PROCEDURAL MATTERS**

OPPOSITION

EOG Resources, Inc., may file a motion to dismiss prior to the hearing, or ask for a continuance should Titus Oil & Gas Production, LLC, refuse to continue the case until a ruling is made by BLM on the plan of development.

Respectfully submitted:

PADILLA LAW FIRM, P.A.

By: /s/ **Ernest L. Padilla**  
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**CERTIFICATE OF SERVICE**

I hereby certify that I caused a copy of the foregoing pleading to be sent via e-mail on this 7<sup>th</sup> day of November, 2019 to:

Sharon T. Shaheen  
John F. McIntyre

[sshaheen@montand.com](mailto:sshaheen@montand.com)  
[jmcintyre@montand.com](mailto:jmcintyre@montand.com)

/s/ **Ernest L. Padilla**  
Ernest L. Padilla