

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

**APPLICATION OF MARATHON OIL PERMIAN, LLC  
TO POOL ADDITIONAL PARTIES UNDER THE TERMS OF  
ORDER NO. R-20996,  
EDDY COUNTY, NEW MEXICO**

**CASE NO. 21213  
ORDER NO. R-20996-A**

**ORDER SETTING OUT BRIEFING SCHEDULE FOR MOTIONS**

This Order follows several recent developments in this case:

- a. The issuance of Order No. R-20996-A on May 7, 2020;
- b. The filing of a Motion to Vacate or Stay Order No. R-20996-A on June 5, 2020, by Sugar Creek Resources, LLC (Sugar Creek);
- c. An Application for De Novo Hearing filed on June 5, 2020 by MRC Permian Company (MRC);
- d. An Application for Hearing De Novo filed on June 11, 2020 by Sugar Creek; and
- e. A Motion to Strike and Request for Extension of Time filed by Applicant Marathon Oil Permian LLC (Marathon) on June 15, 2020.

In Order No. R-20996-A, OCD retained jurisdiction for the entry of such orders as may be deemed necessary. Moreover, notwithstanding the applications for *de novo* hearing before the Commission, Section 19.15.4.23.B NMAC authorizes the Division to consider motions to stay.

Section 19.15.4.16.C NMAC requires that an interested party have a reasonable opportunity to respond to a motion, and the Director or Division Examiner may conduct a motion hearing. The adjudicatory rules do not set out timelines for responses or replies to motions, necessitating this order.

- 1. Marathon shall file a response to Sugar Creek's Motion to Vacate or Stay by 5 p.m. on June 30, 2020. MRC is invited to file a response to the Motion by the same deadline.
- 2. Sugar Creek shall file a reply to Marathon's response by 5 p.m. July 7, 2020.
- 3. Sugar Creek shall file a response to Marathon's Motion to Strike by 5 p.m. on June 30, 2020. MRC is invited to file a response to the Motion by the same deadline.

4. Marathon shall file a reply to Sugar Creek's response by 5 p.m. on July 7, 2020.
5. The Hearing Examiner will accept argument and evidence on these motions at a hearing to be held the end of OCD's regularly scheduled docket on July 9, 2020.
6. A courtesy copy of all documents filed with the Division Hearings staff shall be sent to OCD Counsel and Hearing Examiner Orth via e-mail.

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**FELICIA L. ORTH  
HEARING EXAMINER**

**Date:** 6/17/20