

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

**APPLICATIONS OF ASCENT ENERGY, LLC  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

**CASE NO. 21507  
AND 21508**

**PHILIP WHITE'S PRE-HEARING STATEMENT**

Philip White submits this Pre-Hearing Statement for the above-referenced cases pursuant to the rules of the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Ascent Energy, LLC

**ATTORNEY**

James Bruce  
P.O. Box 1056  
Santa Fe, NM 87504-1056  
[jamesbruc@aol.com](mailto:jamesbruc@aol.com)

**OPPOSING PARTY**

Philip White

**ATTORNEY**

Deana M. Bennett  
MODRALL, SPERLING, ROEHL,  
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**STATEMENT OF CASES**

**APPLICANT:**

In Case 21507, Ascent Energy, LLC seeks an order pooling all mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of Lot 3, SE/4NW/4, and E/2SW/4 (the E/2W/2) of Section 4 and the E/2W/2 of Section 9, Township 20 South, Range 33 East, NMPM. The unit will be dedicated to the Silver Fed. Com. Well Nos. 503H and 602H,

with first take points in the SE/4SW/4 of Section 9 and last take points in Lot 3 of Section 4. Also to be considered will be the cost of drilling and completing the wells and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the wells, and a 200% charge for the risk involved in drilling, completing, and equipping the wells.

In Case 21508, Ascent Energy, LLC seeks an order pooling all mineral interest owners in the Wolfcamp formation underlying a horizontal spacing unit comprised of Lot 3, SE/4NW/4, and E/2SW/4 (the E/2W/2) of Section 4 and the E/2W/2 of Section 9, Township 20 South, Range 33 East, NMPM. The unit will be dedicated to the Silver Fed. Com. Well No. 702H, with a first take point in the SE/4SW/4 of Section 9 and a last take point in Lot 3 of Section 4. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling, completing, and equipping the well.

**OPPOSING PARTY:**

Mr. White owns working interests within the proposed project area. Mr. White has entered his appearance in these cases and submits this pre-hearing statement to protect his rights and because, in his opinion, the parties still need to have further negotiations before it can be said that Ascent has engaged in good faith negotiations with him. In his view, additional time is warranted to allow the parties to continue to negotiate but he is hopeful that the parties may reach a resolution in the near term. Mr. White reserves his right to object to these cases going by affidavit if the parties are not able to reach resolution in the near term.

**PROPOSED EVIDENCE**

**APPLICANT:**

<b>WITNESS</b>	<b>ESTIMATED TIME</b>	<b>EXHIBITS</b>
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**OPPOSING PARTY:**

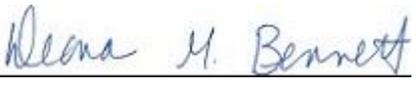
Philip White (if necessary)	15 minutes	2-5
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**PROCEDURAL ISSUES**

Mr. White reserves his right to object to these cases being presented by affidavit.

Respectfully submitted,

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

By: 

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## 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 November 12, 2020:

James Bruce  
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By: Deana M. Bennett