

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

**APPLICATION OF MEWBOURNE OIL COMPANY
FOR APPROVAL OF EXPANSION OF A UNIT AREA,
LEA COUNTY, NEW MEXICO.**

CASE NO. 21418

MARATHON REPLY IN SUPPORT OF JOINT MOTION FOR CONTINUANCE

Marathon Oil Permian LLC (“Marathon”) submits this Reply in support of the Joint Motion for Continuance (“Joint Motion”) filed by Apache Corporation (“Apache”), Chisholm Energy Operating, LLC (“Chisholm”), COG Operating LLC (“COG”), Devon Energy Production Company, L.P., (“Devon”), and Marathon (“Movants”) in the above-captioned matter.

As Movants demonstrated in their Joint Motion, a continuance of the hearing set for December 3, 2020 is warranted. Before Mewbourne’s counsel submitted the pre-hearing order in this matter, Marathon’s counsel informed Mewbourne’s counsel on November 12, 2020, that Marathon likely would support or seek a continuance of the December 3, 2020 hearing date. It was Marathon’s understanding that other parties had also informed Mewbourne’s counsel that they objected to the December 3, 2020 hearing date and would be seeking a continuance. Mewbourne’s counsel indicated that Mewbourne’s filing of the pre-hearing order would not prevent Marathon, or other parties, from seeking to continue the case. Marathon agreed to the filing of the pre-hearing order but only with the understanding that Marathon would likely seek a continuance. Despite knowing that there were objections to the hearing date, as well as the fact that the objecting parties would seek a continuance of the hearing date, Mewbourne filed the pre-hearing order.

As stated in the Joint Motion, Marathon is unwilling to voluntarily contribute its interests to the Unit Agreement or the expanded Unit Area as proposed at this time. Mewbourne’s

Response indicates that Mewbourne is attempting to address the concerns of the objecting parties, which, in Marathon's opinion, establishes additional support for a continuance. If all or some of the objecting parties are able to reach an agreement with Mewbourne, then a contested hearing may not be needed or, at a minimum, the issues at such a contested hearing could be streamlined and the hearing more efficient.

WHEREFORE, Marathon respectfully requests that the Division grant the Joint Motion and continue the hearing on this case from December 3, 2020 to the February 21, 2021, Examiner Hearing Docket or to a special hearing date in February.

Respectfully submitted,

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

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CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2020, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

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