

From: [Hearings, OCD, EMNRD](#)
To: jamesbruc@aol.com; [Salvidrez, Marlene, EMNRD](#)
Cc: dmb@modrall.com; MFeldewert@hollandhart.com; AGRankin@hollandhart.com; JBroggi@hollandhart.com; edebrine@modrall.com; ldh@modrall.com; omundsdry@concho.com; felicia.l.orth@gmail.com; [Brancard, Bill, EMNRD](#); KALuck@hollandhart.com
Subject: Re: [EXT] Re: Case 21418 (Mewbourne's North Wilson Deep Unit) - COG, Marathon, & Devon's joint motion for continuance
Date: Tuesday, January 19, 2021 10:07:06 AM
Attachments: [image001.png](#)

Jim,

Thank you for your email. Per the hearing examiner, this case will remain on the docket for Thursday's hearing and the opposed motion heard at that time.

Thank you,

Marlene

From: jamesbruc@aol.com <jamesbruc@aol.com>
Sent: Tuesday, January 19, 2021 9:06 AM
To: Hearings, OCD, EMNRD; KALuck@hollandhart.com; [Brancard, Bill, EMNRD](#); felicia.l.orth@gmail.com
Cc: dmb@modrall.com; MFeldewert@hollandhart.com; AGRankin@hollandhart.com; JBroggi@hollandhart.com; edebrine@modrall.com; ldh@modrall.com; omundsdry@concho.com
Subject: [EXT] Re: Case 21418 (Mewbourne's North Wilson Deep Unit) - COG, Marathon, & Devon's joint motion for continuance

Marlene: I think Mewbourne ("MOC") deserved time to respond. I will submit this response by e-mail, and ask that the decision be reversed, and the case be heard this Thursday.

The motion should not be granted for the following reasons:

1. The case was set for hearing on 9/24/120, and was voluntarily continued for 4 weeks by MOC at the request of some parties. At that time a scheduling conference was held and the matter was set for a contested hearing on 12/3/20. The objecting parties moved to continue the case because "they didn't have sufficient time to prepare." (By then over two months.). The motion was originally denied but was subsequently granted (against MOC's wishes), and the matter was again set for hearing as a contested case on 1/21/21. Again, they claim they don't have time to prepare. Over three months is sufficient time to prepare for any hearing.
2. The changes to the unit are not "material" because (a) MOC is asking for less than it originally applied, and (b) the objectors can't be forced into the unit. Also, the objectors fail to state (or are unable to state what) is material. Their position has no merit.
3. Objectors claim concerns remain unresolved. Again, what concerns? There is no specificity.

As for Devon, it has simply stated to MOC that it will not join have refused to talk with MOC. MOC has made an offer to Marathon, and was awaiting a response. As to COG MOC did what they asked (drop a section of land from the unit) and they were OK at that time. What has changed?

4. How are objectors correlative rights injured? They still own their leases and will share in production from a well unit as provided by statute. Again, there is no specificity.
5. March is too late. MOC has obligations to the State Land Office, and need to satisfy them. They objectors have know of the proposed unit since late August 2020 and have done nothing constructive;

they simply object. See Point 2 again; they can't e forced into the unit.

Jim Bruce

-----Original Message-----

From: Hearings, OCD, EMNRD <OCD.Hearings@state.nm.us>

To: Kaitlyn A. Luck <KALuck@hollandhart.com>; jamesbruc@aol.com <jamesbruc@aol.com>; Brancard, Bill, EMNRD <bill.brancard@state.nm.us>; felicia.l.orth@gmail.com <felicia.l.orth@gmail.com>

Cc: dmb@modrall.com <dmb@modrall.com>; Michael Feldewert <MFeldewert@hollandhart.com>; Adam Rankin <AGRankin@hollandhart.com>; Julia Broggi <JBroggi@hollandhart.com>; edebrine@modrall.com <edebrine@modrall.com>; ldh@modrall.com <ldh@modrall.com>; omundsdry@concho.com <omundsdry@concho.com>

Sent: Tue, Jan 19, 2021 8:20 am

Subject: Re: Case 21418 (Mewbourne's North Wilson Deep Unit) - COG, Marathon, & Devon's joint motion for continuance

Good morning,

There are already 17 cases on the February 18th docket for a special hearing.

Because it is a contested case, this should be set for a status conference so it may be discussed on record and a PHO issued.

March 18th is open for a special hearing.

Thank you,

Marlene

From: Kaitlyn A. Luck <KALuck@hollandhart.com>

Sent: Monday, January 18, 2021 3:09 PM

To: jamesbruc@aol.com; Hearings, OCD, EMNRD

Cc: dmb@modrall.com; Michael Feldewert; Adam Rankin; Julia Broggi; edebrine@modrall.com; ldh@modrall.com; omundsdry@concho.com

Subject: [EXT] Case 21418 (Mewbourne's North Wilson Deep Unit) - COG, Marathon, & Devon's joint motion for continuance

Good afternoon, please find attached the joint motion for continuance filed this afternoon on the OCD's online system.

Thanks,

Kaitlyn

[Kaitlyn A. Luck – Associate](#) | Holland & Hart LLP | (o) 505.954.7286 (m) 361.648.1973

From: jamesbruc@aol.com <jamesbruc@aol.com>

Sent: Thursday, January 14, 2021 1:02 PM

To: ocd.hearings@state.nm.us

Cc: dmb@modrall.com; Michael Feldewert <MFeldewert@hollandhart.com>; Adam Rankin <AGRankin@hollandhart.com>; Julia Broggi <JBroggi@hollandhart.com>; Kaitlyn A. Luck <KALuck@hollandhart.com>; edebrine@modrall.com; ldh@modrall.com; omundsdry@concho.com

Subject: Case 21418/Mewbourne/pre-hearing statement



External Email

Attached for filing.