

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

**APPLICATION OF MATADOR PRODUCTION
COMPANY FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO**

Case No. 21630

FLAT CREEK RESOURCES' ENTRY OF APPEARANCE

Abadie & Schill, PC, (Darin C. Savage, Andrew D. Schill, and William E. Zimsky), hereby enters an appearance on behalf of Flat Creek Resources ("Flat Creek") in the above-referenced matter. Flat Creek protests this Application and requests a Status Conference, instead of a hearing, on March 4, 2021, on the application filed by Matador Production Company in this case. Flat Creek respectfully submits that this case negatively affects, and runs counter to, the terms that Flat Creek and Matador in good faith agreed upon at the Status Conference in the Division's Prehearing Order dated December 4, 2020, and in the plans for the competing applications that were submitted by the parties at the time. Furthermore, Matador was fully aware at the time that it filed this new application for the N/2 of Section 23, Township 23 South, Range 27 East, NMPM, Eddy County, New Mexico, that this application would directly impact the terms of the Prehearing Order for Matador's Case No. 21543, and Flat Creek's Case No. 21460, involving the same lands, filed pursuant to that order, and that it would directly impact the hearing scheduled on March 4, 2021, pursuant to the Prehearing Order. Yet, neither Matador, nor its counsel, provided Flat Creek, or its counsel, with any notice of its plans and filings, nor was Flat Creek, its counsel, or the Division made aware of Matador's plans for the N/2 at the time of the original Status Conference when it had both the opportunity, and as Flat

Creek would argue, the obligation to do so. Flat Creek respectfully submits that the advent of this new filing materially alters the status of due process and the proceedings under the original Status Conference and Prehearing Order.

Respectfully Submitted,

ABADIE & SCHILL, PC

/s/ Darin C. Savage

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed with the New Mexico Oil Conservation Division and was served on counsel of record via electronic mail on February 14, 2021:

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/s/ Darin C. Savage

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