

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

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

**CASE NOS. 21108 & 21110**

**XTO HOLDINGS, LLC's PRE-HEARING STATEMENT**

XTO Holdings, LLC ("XTO") submits this pre-hearing statement as required by the rules of the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Matador Production Company

**ATTORNEY**

James Bruce  
P.O. Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

**POOLED PARTY**

XTO Holdings, LLC

**ATTORNEY**

Michael H. Feldewert  
Adam G. Rankin  
Kaitlyn A. Luck  
Holland & Hart LLP  
Post Office Box 2208  
Santa Fe, NM 87504  
(505) 988-4421  
(505) 983-6043 Facsimile

**XTO HOLDINGS, LLC's STATEMENT OF THE CASE**

Applicant seeks orders pooling all mineral interests within the Bone Spring formation underlying the N/2 S/2 and the S/2 S/2 of Sections 15 and 14, Township 20 South, Range 29 East, NMPM, Eddy County, New Mexico, for its proposed Ted 1514 Fed

Com 123 ad 124H wells. XTO requests that the pooling orders contain the following provision:

Notwithstanding paragraphs 22 and 23, above, by stipulation of the parties, Applicant grants XTO Holdings, LLC the ability to sequentially elect to pay its share of costs for each proposed well. Applicant agrees to submit an AFE to XTO Holdings, LLC no sooner than 60 days before the commencement of the drilling of each well, and XTO Holdings, LLC shall have 30 days upon receipt of said AFE to elect to participate and make payment to Applicant of the estimated cost for each well.

A similar provision exists in Order R-21275 (Case 21109) and Order R-21276 (Case 2111) pooling this acreage for wells in the Wolfcamp formation. This provision is reasonable and necessary to protect XTO from premature election and payment obligations for the proposed wells.

### **PROCEDURAL ISSUES**

XTO does not oppose this case being presented by affidavit if the requested election and payment provision is acceptable.

Respectfully submitted,

HOLLAND & HART LLP

By: \_\_\_\_\_

Michael H. Feldewert  
Adam G. Rankin  
Kaitlyn A. Luck  
Post Office Box 2208  
Santa Fe, New Mexico 87504-2208  
(505) 988-4421  
(505) 983-6043 Facsimile  
mfeldewert@hollandhart.com  
agrarkin@hollandhart.com  
kaluck@hollandhart.com

**ATTORNEYS FOR XTO ENERGY INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on March 11, 2021, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

James Bruce  
P.O. Box 1056  
Santa Fe, New Mexico 87504  
505-982-2043  
*jamesbruc@aol.com*

*Attorney for Matador Production Company*



---

Adam G. Rankin