

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

**APPLICATIONS OF APACHE CORPORATION
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO**

**Case No.: 21727
Case No.: 21728**

**APPLICATION OF COLGATE OPERATING, LLC,
FOR COMPULSORY POOLING, EDDY COUNTY,
NEW MEXICO**

Case No.: 21878

PRE-HEARING STATEMENT OF XTO HOLDINGS LLC

XTO Holdings LLC ("XTO") submits its Pre-Hearing Statement pursuant to the Rules of the Oil Conservation Division.

APPEARANCE

XTO is a party in interest in the Applications of Apache Corporation ("Apache") and Colgate Operating, LLC ("Colgate") in the three cases referenced above. XTO's business address is 22777 Springwoods Village Parkway, Spring, Texas 77389-1425. XTO is represented by the undersigned counsel.

SUMMARY OF XTO's POSITION

XTO will participate in the successful Applicant's proposed wells. XTO takes no position as to whether the Applications of Apache or Colgate should be granted and appears herein solely to represent its interests and indicate that XTO's interest should be forced pooled as it will participate in the successful Applicant's proposed wells pursuant to the terms of a reasonable joint operating agreement. XTO notes that it entered appearances in Case Nos. 21729 and 21730 which are consolidated with these three

cases, but XTO has since determined that it does not own any interest in the Bone Spring formation intervals that are the sole subject of those cases so XTO takes no position in those cases.

PROPOSED EVIDENCE

XTO will not present any witnesses at the hearing of this matter but may exercise its right to examine witnesses presented by any other party.

EXHIBITS

XTO does not intend to introduce any exhibits at the hearing of this matter.

PROCEDURAL MATTERS

XTO is not aware of any procedural matters to be resolved prior to the hearing.

HINKLE SHANOR LLP

By: _____



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Pre-Hearing Statement* was e-mailed to the following on this 28th day of October, 2021:

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