

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

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**APPLICATION OF MEWBOURNE OIL COMPANY  
FOR A NON-STANDARD OIL SPACING AND  
PRORATION UNIT AND COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 15448**

**PRE-HEARING STATEMENT**

BLACK MOUNTAIN OPERATING LLC, ("Black Mountain"), provisionally provides this Pre-Hearing Statement as required by the rules of the Division.

**APPEARANCES**

BLACK MOUNTAIN OPERATING LLC    BLACK MOUNTAIN OPERATING  
LLC'S ATTORNEYS

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**APPLICANT**

**MEWBOURNE OIL COMPANY**

**APPLICANT'S ATTORNEY**

James Bruce  
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**STATEMENT OF THE CASE**

Applicant Mewbourne Oil Company seeks an order (i) approving a 160-acre non-standard oil spacing and proration unit in the Bone Spring formation comprised of the N/2 S/2 of

Section 28, Township 18 South, Range 29 East, N.M.P.M., Eddy County, New Mexico, and (ii) pooling all mineral interests in the Bone Spring formation underlying the non-standard unit.

### **OPPONENT'S POSITION**

Black Mountain Operating LLC opposes Mewbourne's compulsory pooling Application. The lands and interests that are the subject of the Application are subject to a pre-existing Joint Operating Agreement and therefore, the lands are not available to be force pooled.

### **PROPOSED EVIDENCE**

<u>OPPONENT:</u> BLACK MOUNTAIN OPERATING LLC	<u>EST. TIME</u>	<u>EXHIBITS</u>
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<u>WITNESSES:</u> Luke Mildren, Land	20	4
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<u>APPLICANT:</u> MEWBOURNE OIL COMPANY	<u>EST. TIME</u>	<u>EXHIBITS</u>
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<u>WITNESSES:</u>		
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### **PROCEDURAL MATTERS**

Black Mountain will file a motion to dismiss Mewbourne's Application.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: T. Scott Hall

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*Attorneys for Black Mountain Operating LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on the following counsel of record by electronic mail on March 24, 2016:

James Bruce  
Post Office Box 1056  
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jamesbruc@aol.com

  
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J. Scott Hall