

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

**APPLICATION OF MEWBOURNE OIL COMPANY  
FOR COMPULSORY POOLING, LEA COUNTY,  
NEW MEXICO**

**CASE NO. 20091**

**PRE-HEARING STATEMENT**

Zane Kiehne provides this Pre-Hearing Statement as required by the rules of the Division.

**APPEARANCES**

**APPLICANT**

Mewbourne Oil Company

**APPLICANT'S ATTORNEYS**

Gary W. Larson  
Hinkle Shanor, LLP  
P.O. Box 2068  
Santa Fe, NM 87504-2068

**OPPONENT**

Zane Kiehne

**OPPONENT'S ATTORNEYS**

Seth C. McMillan  
Montgomery & Andrews, P.A.  
P.O. Box 2307  
Santa Fe, NM 87504-2307  
(505) 982-3873  
[smcmillan@montand.com](mailto:smcmillan@montand.com)

**STATEMENT OF THE CASE**

Mewbourne's application seeks an order pooling all uncommitted mineral interests in the Wolfcamp formation in a standard 160-acre horizontal spacing unit comprised of the E/2 W/2 of Section 21, Township 26 South, Range 32 East in Lea County, New Mexico. The horizontal spacing unit will be dedicated to Mewbourne's proposed Red Hills West 21 W0CN Fed Com #1H

and Red Hills West 21 W1CN Fed Com #2H wells. Both wells will be horizontally drilled from a surface location in Unit C to a bottom hole location in Unit N of Section 21, Township 26 South, Range 32 East.

Mr. Kiehne is an unleased mineral owner in the subject acreage. Mr. Kiehne opposes this application on the ground, *inter alia*, that Mewbourne did not negotiate in good faith in seeking the voluntary participation of Mr. Kiehne in the proposed wells.

#### **PROPOSED EVIDENCE**

<u>OPPONENT'S WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
Zane Kiehne, unleased mineral owner	15 min.	4
Dan Perry, attorney	15 min.	4

#### **PROCEDURAL MATTERS**

None at this time.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: /s/ Seth C. McMillan  
Seth C. McMillan  
Post Office Box 2307  
Santa Fe, New Mexico 87504-2307  
(505) 982-3873  
smcmillan@montand.com

*Attorneys for Zane Kiehne*

**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 November 8, 2018:

Gary W. Larson  
Hinkle Shanor LP  
P.O. Box 2068  
Santa Fe, NM 87504-2068

/s/ Seth C. McMillan  
Seth C. McMillan