

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

**APPLICATIONS OF CIMAREX ENERGY CO.
FOR A HORIZONTAL SPACING UNIT
AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

CASE NOS. 23448-23455

**APPLICATIONS OF CIMAREX ENERGY CO.
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

CASE NOS. 23594-23601

**APPLICATIONS OF READ & STEVENS, INC.
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

CASE NOS. 23508-23523

READ & STEVENS, INC'S CONSOLIDATED PRE-HEARING STATEMENT

Read & Stevens, Inc ("Read & Stevens" or "Applicant"), the applicant in the above-Case Nos. 23508-23523, submits this Pre-Hearing Statement pursuant to the rules of the Oil Conservation Division and the governing Amended Prehearing Order.

APPEARANCES

APPLICANT

Read & Stevens, Inc.
Permian Resources Operating, LLC

ATTORNEY

Michael H. Feldewert
Adam G. Rankin
Julia Broggi
Paula M. Vance
Holland & Hart, LLP
Post Office Box 2208
Santa Fe, New Mexico 87504-2208
(505) 988-4421
(505) 983-6043 Facsimile
mfeldewert@hollandhart.com
agrarkin@hollandhart.com
jbroggi@hollandhart.com
pmvance@hollandhart.com

OPPOSING PARTY

Cimarex Energy Co.

ATTORNEY

Darin C. Savage
Andrew D. Schill
William E. Zimsky
Abadie & Schill PC
214 McKenzie Street
Santa Fe, New Mexico 87501
darin@abadieschill.com
andrew@abadieschill.com
bill@abadieschill.com

OTHER PARTIES

Northern Oil and Gas, Inc.

ATTORNEY

Blake C. Jones
1780 Hughes Landing Blvd., Suite 750
The Woodlands, TX 77380
Steptoe & Johnson PLLC
blake.jones@steptoe-johnson.com

Sandstone Properties, LLC

Sealy Cavin, Jr.
Scott S. Morgan
Brandon D. Hajny
Cavin & Ingram, P.A.
P.O. Box 1216
Albuquerque, NM 87103
(504) 243-5400
scavin@cilawnm.com
smorgan@cilawnm.com
bhajny@cilawnm.com

APPLICANT'S STATEMENT OF THE CASE

In these consolidated cases, Read & Stevens seeks orders (1) designating Permian Resources Operating, LLC (OGRID No. 372165) operator of the proposed horizontal spacing units and of the proposed initial wells, and (2) separately pooling all uncommitted mineral owners in the Bone Spring and Wolfcamp formations, as follows:

- Under **Case No. 23508**, Read & Stevens seeks to pool all uncommitted interests in the Bone Spring formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 4 (NW/4 NW/4 equivalent), the SW/4 NW/4, and the W/2 SW/4 of Section 4 and the W/2 W/2 of Section 9, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially

dedicated to the proposed **Bane 4-9 Federal Com 111H, 121H, 122H, 171H, and 131H wells**, to be horizontally drilled from a surface location in the NE/4 NW/4 (Lot 3) of Section 4, Township 20 South, Range 34 East, to bottom hole locations in the SW/4 SW/4 (Unit M) of Section 9, Township 20 South, Range 34 East.

- Under **Case No. 23509**, Read & Stevens seeks to pool all uncommitted interests in the Bone Spring formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 3 (NE/4 NW/4 equivalent), the SE/4 NW/4, and the E/2 SW/4 of Section 4 and the E/2 W/2 of Section 9, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Bane 4-9 Federal Com 112H, 123H, 124H, 172H, and 132H wells**, to be horizontally drilled from a surface location in the NE/4 NW/4 (Lot 3) of Section 4, Township 20 South, Range 34 East, to bottom hole locations in the SE/4 SW/4 (Unit N) of Section 9, Township 20 South, Range 34 East.
- Under **Case No. 23510**, Read & Stevens seeks to pool all uncommitted interests in the Bone Spring formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 2 (NW/4 NE/4 equivalent), the SW/4 NE/4, and the W/2 SE/4 of Section 4 and the W/2 E/2 of Section 9, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be dedicated to the following proposed initial wells:
 - **Bane 4-9 Federal Com 113H and 173H wells**, to be horizontally drilled from a surface location in the NW/4 NE/4 (Lot 2) of Section 4, Township 20 South, Range 34 East, to bottom hole locations in the SW/4 SE/4 (Unit O) of Section 9, Township 20 South, Range 34 East; and
 - **Bane 4-9 Federal Com 125H, 126H, and 133H wells**, to be horizontally drilled from a surface location in the NE/4 NE/4 (Lot 1) of Section 4, Township 20 South, Range 34 East, to bottom hole locations in the SW/4 SE/4 (Unit O) of Section 9, Township 20 South, Range 34 East.
- Under **Case No. 23511**, Read & Stevens seeks to pool all uncommitted interests in the Bone Spring formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 1 (NE/4 NE/4 equivalent), the SE/4 NE/4, and the E/2 SE/4 of Section 4 and the E/2 E/2 of Section 9, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Bane 4-9 Federal Com 114H, 127H, 128H, 174H, and 134H wells**, to be horizontally drilled from a surface location in the NE/4 NE/4 (Lot 1) of Section 4, Township 20 South, Range 34 East, to bottom hole locations in the SE/4 SE/4 (Unit P) of Section 9, Township 20 South, Range 34 East.
- Under **Case No. 23512**, Read & Stevens seeks to pool all uncommitted interests in the Wolfcamp formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 4 (NW/4 NW/4 equivalent), the SW/4 NW/4, and the W/2 SW/4 of Section 4 and the W/2 W/2 of Section 9, Township 20 South,

Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Bane 4-9 Federal Com 201H well**, to be horizontally drilled from a surface location in the NE/4 NW/4 (Lot 3) of Section 4, Township 20 South, Range 34 East, to a bottom hole location in the SW/4 SW/4 (Unit M) of Section 9, Township 20 South, Range 34 East.

- Under **Case No. 23513**, Read & Stevens seeks to pool all uncommitted interests in the Wolfcamp formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 3 (NE/4 NW/4 equivalent), the SE/4 NW/4, and the E/2 SW/4 of Section 4 and the E/2 W/2 of Section 9, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Bane 4-9 Federal Com 202H well**, to be horizontally drilled from a surface location in the NE/4 NW/4 (Lot 3) of Section 4, Township 20 South, Range 34 East, to a bottom hole location in the SE/4 SW/4 (Unit N) of Section 9, Township 20 South, Range 34 East.
- Under **Case No. 23514**, Read & Stevens seeks to pool all uncommitted interests in the Wolfcamp formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 2 (NW/4 NE/4 equivalent), the SW/4 NE/4, and the W/2 SE/4 of Section 4 and the W/2 E/2 of Section 9, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Bane 4-9 Federal Com 203H well**, to be horizontally drilled from a surface location in the NE/4 NE/4 (Lot 1) of Section 4, Township 20 South, Range 34 East, to a bottom hole location in the SW/4 SE/4 (Unit O) of Section 9, Township 20 South, Range 34 East.
- Under **Case No. 23515**, Read & Stevens seeks to pool all uncommitted interests in the Wolfcamp formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 1 (NE/4 NE/4 equivalent), the SE/4 NE/4, and the E/2 SE/4 of Section 4 and the E/2 E/2 of Section 9, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Bane 4-9 Federal Com 204H well**, to be horizontally drilled from a surface location in the NE/4 NE/4 (Lot 1) of Section 4, Township 20 South, Range 34 East, to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 9, Township 20 South, Range 34 East.
- Under **Case No. 23516**, Read & Stevens seeks to pool all uncommitted interests in the Bone Spring formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 4 (NW/4 NW/4 equivalent), the SW/4 NW/4, and the W/2 SW/4 of Section 5 and the W/2 W/2 of Section 8, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Joker 5-8 Federal Com 111H, 121H, 122H, 171H, and 131H wells**, to be horizontally drilled from a surface location in the NE/4 NW/4 (Lot 3) of Section 5, Township 20 South, Range 34 East, to bottom hole locations in the SW/4 SW/4 (Unit M) of Section 8, Township 20 South, Range 34 East.

- Under **Case No. 23517**, Read & Stevens seeks to pool all uncommitted interests in the Bone Spring formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 3 (NE/4 NW/4 equivalent), the SE/4 NW/4, and the E/2 SW/4 of Section 5 and the E/2 W/2 of Section 8, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Joker 5-8 Federal Com 112H, 123H, 124H, 172H, and 132H wells**, to be horizontally drilled from a surface location in the NE/4 NW/4 (Lot 3) of Section 5, Township 20 South, Range 34 East, to bottom hole locations in the SE/4 SW/4 (Unit N) of Section 8, Township 20 South, Range 34 East.
- Under **Case No. 23518**, Read & Stevens seeks to pool all uncommitted interests in the Bone Spring formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 2 (NW/4 NE/4 equivalent), the SW/4 NE/4, and the W/2 SE/4 of Section 5 and the W/2 E/2 of Section 8, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Joker 5-8 Federal Com 113H, 125H, 126H, 173H, and 133H wells**, to be horizontally drilled from a surface location in the NW/4 NE/4 (Lot 2) of Section 5, Township 20 South, Range 34 East, to bottom hole locations in the SW/4 SE/4 (Unit O) of Section 8, Township 20 South, Range 34 East.
- Under **Case No. 23519**, Read & Stevens seeks to pool all uncommitted interests in the Bone Spring formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 1 (NE/4 NE/4 equivalent), the SE/4 NE/4, and the E/2 SE/4 of Section 5 and the E/2 E/2 of Section 8, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Joker 5-8 Federal Com 114H, 127H, 128H, 174H, and 134H wells**, to be horizontally drilled from a surface location in the NW/4 NE/4 (Lot 2) of Section 5, Township 20 South, Range 34 East, to bottom hole locations in the SE/4 SE/4 (Unit P) of Section 8, Township 20 South, Range 34 East.
- Under **Case No. 23520**, Read & Stevens seeks to pool all uncommitted interests in the Wolfcamp formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 4 (NW/4 NW/4 equivalent), the SW/4 NW/4, and the W/2 SW/4 of Section 5 and the W/2 W/2 of Section 8, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Joker 5-8 Federal Com 201H well**, to be horizontally drilled from a surface location in the NE/4 NW/4 (Lot 3) of Section 5, Township 20 South, Range 34 East, to a bottom hole location in the SW/4 SW/4 (Unit M) of Section 8, Township 20 South, Range 34 East.
- Under **Case No. 23521**, Read & Stevens seeks to pool all uncommitted interests in the Wolfcamp formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 3 (NE/4 NW/4 equivalent), the SE/4 NW/4, and the E/2 SW/4 of Section 5 and the E/2 W/2 of Section 8, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Joker 5-8 Federal Com 202H well**, to be horizontally drilled from a

surface location in the NE/4 NW/4 (Lot 3) of Section 5, Township 20 South, Range 34 East, to a bottom hole location in the SE/4 SW/4 (Unit N) of Section 8, Township 20 South, Range 34 East.

- Under **Case No. 23522**, Read & Stevens seeks to pool all uncommitted interests in the Wolfcamp formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 2 (NW/4 NE/4 equivalent), the SW/4 NE/4, and the W/2 SE/4 of Section 5 and the W/2 E/2 of Section 8, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Joker 5-8 Federal Com 203H well**, to be horizontally drilled from a surface location in the NW/4 NE/4 (Lot 2) of Section 5, Township 20 South, Range 34 East, to a bottom hole location in the SW/4 SE/4 (Unit O) of Section 8, Township 20 South, Range 34 East.
- Under **Case No. 23523**, Read & Stevens seeks to pool all uncommitted interests in the Wolfcamp formation underlying a standard 320-acre, more or less, horizontal well spacing comprised of Lot 1 (NE/4 NE/4 equivalent), the SE/4 NE/4, and the E/2 SE/4 of Section 5 and the E/2 E/2 of Section 8, Township 20 South, Range 34 East, NMPM, Lea County, New Mexico. Said unit will be initially dedicated to the proposed **Joker 5-8 Federal Com 204H well**, to be horizontally drilled from a surface location in the NW/4 NE/4 (Lot 2) of Section 5, Township 20 South, Range 34 East, to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 8, Township 20 South, Range 34 East.

Read & Stevens has sought and been unable to obtain voluntary agreement for the development of these lands from all interest owners in the proposed spacing units. The pooling of interests will allow Read & Stevens to obtain a just and fair share of the oil and gas underlying the subject lands, avoid the drilling of unnecessary wells, will prevent waste, and will protect correlative rights.

Cimarex Case Nos. 23448-23455 and 23594-23601 seek to create competing Bone Spring and Wolfcamp spacing units, respectively, in same acreage Read & Stevens seeks to develop with its proposed wells.

Read & Stevens believes that the following facts are undisputed and material to the issues presented in these consolidated cases:

1. Read & Stevens has proposed a co-development plan with initial wells proposed to be completed in several zones across multiple offsetting spacing units within the Bone Spring and Wolfcamp pools. In contrast, Cimarex's competing development plan proposes to complete initial wells only in the Bone Spring pool and to create Wolfcamp spacing units without the completed interval of any proposed initial wells penetrating any of the tracts in the Wolfcamp pool. In short, Cimarex proposes to force pool working interest owners into Wolfcamp spacing units without proposing or drilling any initial wells within the Wolfcamp pool.

2. Working interest owners and their share of the working interest within the subject acreage are not uniform between the Bone Spring and Wolfcamp formations. Some owners in the Wolfcamp formation own a larger proportion of working interest in the Wolfcamp formation than they do in the Bone Spring formation. And some owners in the Wolfcamp formation do not own any interests in the Bone Spring formation.

3. Read & Stevens proposes to complete its proposed initial wells using a staggered and stacked "wine-rack" pattern across all its targeted zones with simultaneous completions across the Third Bone Spring and Wolfcamp targets at a density of 24 wells per section. In contrast, Cimarex proposes completed intervals in a vertically stacked pattern within only the Bone Spring pool at a density of 12 wells per section.

4. Read & Stevens' proposed horizontal spacing and wine-rack pattern takes into consideration the location and setbacks of existing and planned horizontal wells in offsetting spacing units, in particular Permian Resources' operated Riddler Bone Spring and Wolfcamp spacing units immediately adjacent to the east approved under Order Nos. R-22748 through R-22754.

5. There are no faults, pinch outs, or other geologic impediments to efficiently and effectively developing Read & Stevens' proposed Bone Spring and Wolfcamp spacing units with two-mile horizontal wells.

Cimarex's plan to try to develop and pool the entire Wolfcamp formation through wells drilled and completed in the Bone Spring will (1) violate the statutory mandate to allocate production under compulsory pooling orders on a strict acreage basis; (2) impair the correlative rights of working interest owners due to non-uniform ownership between the Bone Spring and Wolfcamp formations and harm royalty and overriding royalty interest owners; and (3) violate the Division's requirements governing pool rules and horizontal well spacing units.

In addition to these fatal defects that cannot be cured, Cimarex proposes sub-optimal spacing relative to existing and planned offsetting development and will cause substantial waste by failing to co-develop the Third Bone Spring with the Upper Wolfcamp using simultaneous wine-rack completions, as Read & Stevens proposes to do.

Read & Stevens has an extensive position across the acreage and a comprehensive development plan for the area that optimizes drilling flexibility, prevents waste by developing incremental reserves that would otherwise be lost, and protects the correlative rights of all owners and royalty interests in both target pools.

In addition, Read & Stevens' plan prioritizes re-use of produced water, capitalizes on substantial existing surface infrastructure, can leverage existing development and production to secure favorable takeaway agreements, and minimizes surface disturbance by consolidating roads, flowlines, pads, and tank batteries. As with its adjacent developments, it plans to commingle production from its Joker and Bane units into a

single battery, reducing surface impacts and minimizing waste by eliminating emissions with fewer surface facilities and potential emission sources.

APPLICANT'S PROPOSED EVIDENCE

| WITNESS Name and Expertise | ESTIMATED TIME | EXHIBITS |
|---------------------------------------|-------------------------|---|
| Travis Macha, Landman | Self-Affirmed Statement | Exhibit C and C-1 through C-14 |
| Davro Clements, Facilities Engineer | Self-Affirmed Statement | Exhibit D and D-1 through D-5 |
| Ira Bradford, Petroleum Geologist | Self-Affirmed Statement | Exhibit E and Exhibits E-1 through E-29 |
| John Fechtel, Reservoir Engineer | Self-Affirmed Statement | Exhibit F and Exhibit F-1 through F-8 |


The qualifications for each witness and the narrative of their direct testimony are contained in the affidavits filed with this prehearing statement.

PROCEDURAL MATTERS

Pursuant to the Amended Prehearing Order entered in these matters, Read & Stevens has filed with this prehearing statement affidavits containing the direct testimony for each witness, the exhibits referenced in those affidavits, and the notice affidavits and exhibits.

Respectfully submitted,

HOLLAND & HART LLP

By: 

Michael H. Feldewert
Adam G. Rankin
Julia Broggi
Paula M. Vance
Post Office Box 2208
Santa Fe, NM 87504
505-988-4421
505-983-6043 Facsimile
mfeldewert@hollandhart.com
agrankin@hollandhart.com
jbroggi@hollandhart.com
pmvance@hollandhart.com

**ATTORNEYS FOR READ & STEVENS, INC. &
PERMIAN RESOURCES OPERATING, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2023, I served a copy of the foregoing document to the following counsel of record via Electronic Mail:

Darin C. Savage
Andrew D. Schill
William E. Zimsky
214 McKenzie Street
Santa Fe, New Mexico 87501
darin@abadieschill.com
andrew@abadieschill.com
bill@abadieschill.com

Attorneys for Cimarex Energy Co.

Blake C. Jones
1780 Hughes Landing Blvd., Suite 750
The Woodlands, TX 77380
blake.jones@steptoe-johnson.com

Attorney for Northern Oil and Gas, Inc.

Sealy Cavin, Jr.
Scott S. Morgan
Brandon D. Hajny
P. O. Box 1216
Albuquerque, NM 87103
(505) 243-5400
scavin@cilawnm.com
smorgan@cilawnm.com
bhajny@cilawnm.com

Attorneys for Sandstone Properties, LLC



Adam G. Rankin

District I
1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720

District II
811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720

District III
1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170

District IV
1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

QUESTIONS

Action 240089

QUESTIONS

| | |
|---|--|
| Operator: Permian Resources Operating, LLC 1001 17th Street, Suite 1800 Denver, CO 80202 | OGRID: 372165 |
| | Action Number: 240089 |
| | Action Type: [HEAR] Prehearing Statement (PREHEARING) |

QUESTIONS

| | |
|---|---------------|
| Testimony | |
| Please assist us by provide the following information about your testimony. | |
| Number of witnesses | Not answered. |
| Testimony time (in minutes) | Not answered. |