

ABOVE THIS LINE FOR DIVISION USE ONLY

NEW MEXICO OIL CONSERVATION DIVISION  
- Engineering Bureau -  
1220 South St. Francis Drive, Santa Fe, NM 87505



**ADMINISTRATIVE APPLICATION CHECKLIST**

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

**Application Acronyms:**

- [NSL-Non-Standard Location] [NSP-Non-Standard Proration Unit] [SD-Simultaneous Dedication]  
 [DHC-Downhole Commingling] [CTB-Lease Commingling] [PLC-Pool/Lease Commingling]  
 [PC-Pool Commingling] [OLS - Off-Lease Storage] [OLM-Off-Lease Measurement]  
 [WFX-Waterflood Expansion] [PMX-Pressure Maintenance Expansion]  
 [SWD-Salt Water Disposal] [IPI-Injection Pressure Increase]  
 [EOR-Qualified Enhanced Oil Recovery Certification] [PPR-Positive Production Response]

- [1] **TYPE OF APPLICATION** - Check Those Which Apply for [A]  
 [A] Location - Spacing Unit - Simultaneous Dedication  
 NSL  NSP  SD  
 Check One Only for [B] or [C]  
 [B] Commingling - Storage - Measurement  
 DHC  CTB  PLC  PC  OLS  OLM  
 [C] Injection - Disposal - Pressure Increase - Enhanced Oil Recovery  
 WFX  PMX  SWD  IPI  EOR  PPR  
 [D] Other: Specify \_\_\_\_\_
- NSP  
- Cimarex Energy Co  
215099  
Well  
- Foxx 31 Fed  
Com 4H  
30-015-43150*
- [2] **NOTIFICATION REQUIRED TO:** - Check Those Which Apply, or \_\_\_ Does Not Apply  
 [A]  Working, Royalty or Overriding Royalty Interest Owners  
 [B]  Offset Operators, Leaseholders or Surface Owner  
 [C]  Application is One Which Requires Published Legal Notice  
 [D]  Notification and/or Concurrent Approval by BLM or SLO  
U.S. Bureau of Land Management - Commissioner of Public Lands, State Land Office  
 [E]  For all of the above, Proof of Notification or Publication is Attached, and/or,  
 [F]  Waivers are Attached
- Pool  
- W. Wolf Canyon  
GAS (98017)  
- WL-015 G04  
526 26258, 3042  
Spring  
98018*

[3] **SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED ABOVE.**

[4] **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is accurate and complete to the best of my knowledge. I also understand that no action will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

Jennifer L. Bradfute Print or Type Name	 Signature	Attorney for Cimarex Title	10/24/2016 Date
		jlb@modrall.com e-mail Address	



MODRALL SPERLING  
LAWYERS

October 26, 2016

**Via Email**

Mr. David Catanach  
Oil Conservation Division  
New Mexico Department of Energy,  
Minerals and Natural Resources  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

Jennifer L. Bradford  
505.848.1845  
Fax: 505.848.1882  
jlb@modrall.com

**Re: *Application of Cimarex Energy Co. of Colorado for administrative approval of a non-standard project area covering 96.47 acres in Section 31, Township 36 South, Range 27 East, N.M.P.M., Eddy County, New Mexico for its Foxx 31 Federal Com 4H (API Pending) well.***

Dear Mr. Catanach:

Cimarex Energy Co. of Colorado ("Cimarex") (OGRID No: 251099) is seeking approval under Division Rules 19.15.16.7(L), (M) and 19.15.16.15(E) NMAC for a non-standard project area for its Foxx 31 Federal Com 4H well. This is a horizontal well located in Section 31, Township 26 South, Range 27 East, N.M.P.M., Eddy County, New Mexico. Cimarex proposes a non-standard project area for the development of this Section due to surface limitations in Sections 31. The proposed project area is as follows:

- **Project Area:** 96.47 acres, covering Los 2, 5, 4 and 3 in irregular Section 31, Township 26 South, Range 27 East, N.M.P.M., Eddy County, New Mexico. Attached as **Exhibit A** is the C-102 for the Foxx 31 Federal Com 4H well.

In particular, this application a non-standard project area is necessary because its covering irregularly shaped lots which contain less than 40 acres. As a result, all of the acreage in the Section 25 can be developed and there will be no stranded acreage as a result of this application. Attached as Exhibit A, are the C-102s for all of the wells in Section 25.

Attached as **Exhibit B** is a plat which shows the subject spacing unit for this well and all adjoining spacing units or leases. Notice of the non-standard project area is being given to the operators in the adjoining spacing units. Cimarex Energy Co. and Concho are the lessees of the adjoining units in

Modrall Spierling  
Roehl Harris & Slack P.A.  
Bank of America Centre  
500 Fourth Street NW  
Suite 1000  
Albuquerque,  
New Mexico 87102

PO Box 2168  
Albuquerque,  
New Mexico 87103-2168

Tel: 505.848.1800  
www.modrall.com

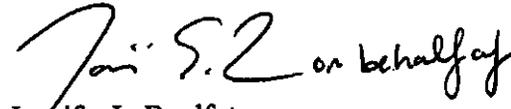
Page 2

Sections 36 and 25 of Township 26 South, Range 26 East, and Sections 29, 30, and 32 of Township 26 South, Range 27 East.

**Exhibit C** is the list of persons who are entitled to notice under 19.15.4.12A(2)(a) NMAC. Copies of this application, including all attachments, have been mailed to each affected person and offset operator via certified mail-return receipt requested, pursuant to Rules 19.15.4.12A(2)(a) and 19.15.16.15(E)(2), (3). Each person entitled to notice has been informed that if it has an objection to this application, a protest must be mailed to Cimarex within 20 days from the date notice was mailed. See 19.15.16.15(E)(3). Cimarex will notify the NMOCD of any protests received within seven (7) business days after receipt of those protests.

Please contact me if you have any questions or concerns. Thank you.

Sincerely,

  
Jennifer L. Bradfute

JLB/sjh  
Enclosures

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

District II  
411 S. First St., Artesia, NM 88210  
Phone: (575) 748-1283 Fax: (575) 748-9220

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

District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico  
Energy, Minerals & Natural Resources Department  
**OIL CONSERVATION DIVISION**  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Form C-102  
Revised August 1, 2011  
Submit one copy to appropriate  
District Office

AMENDED REPORT

**WELL LOCATION AND ACREAGE DEDICATION PLAT**

1 API Number 30-015-43150		2 Pool Code 98018		3 Pool Name Wildcat Bone Spring	
4 Property Code 40412		5 Property Name FOXX JT FEDERAL COM			6 Well Number 4H
7 OGRID No. 215099		8 Operator Name CIMAREX ENERGY CO.			9 Elevation 3210.9'

"Surface Location

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
A	31	26S	27E		453	NORTH	417	EAST	EDDY

"Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
2	31	26S	27E		400	SOUTH	330	WEST	EDDY

11 Dedicated Acres 96:47	12 Lot or Infill	13 Consolidation Code	14 Order No. NSP Pending
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No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.

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<b>NAD 83 (BOTTOM HOLE LOCATION)</b> LATITUDE = 32°00'04.13" (32.001147) LONGITUDE = 104°14'10.79" (104.236331) <b>NAD 27 (BOTTOM HOLE LOCATION)</b> LATITUDE = 32°00'03.69" (32.001026) LONGITUDE = 104°14'09.91" (104.235836) STATE PLANE NAD 83 (N.M. EAST) N: 364169.90 E: 371406.68 STATE PLANE NAD 27 (N.M. EAST) N: 364113.44 E: 370222.92	<b>NAD 83 (SURFACE HOLE LOCATION)</b> LATITUDE = 32°00'16.43" (32.004564) LONGITUDE = 104°13'18.14" (104.221706) <b>NAD 27 (SURFACE HOLE LOCATION)</b> LATITUDE = 32°00'15.99" (32.004442) LONGITUDE = 104°13'16.36" (104.221211) STATE PLANE NAD 83 (N.M. EAST) N: 365417.53 E: 375939.2 STATE PLANE NAD 27 (N.M. EAST) N: 365361.02 E: 374795.34
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LINE	DIRECTION	LENGTH
L1	S25°44'05"W	1383.82'

● = SURFACE HOLE LOCATION  
 ○ = BOTTOM HOLE LOCATION  
 ◆ = LANDING POINT  
 ▲ = SECTION CORNER LOCATED

SCALE  
REVISED BY: B.D.H. 07-18-16

**"OPERATOR CERTIFICATION"**

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or compulsory pooling order heretofore made by the division.

11-21-16  
Date

Terri Stathem  
Printed Name

tstathem@cimarex.com  
E-mail Address

**"SURVEYOR CERTIFICATION"**

I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

July 18, 2016  
Date of Survey

Signature and Seal of Professional Surveyor.

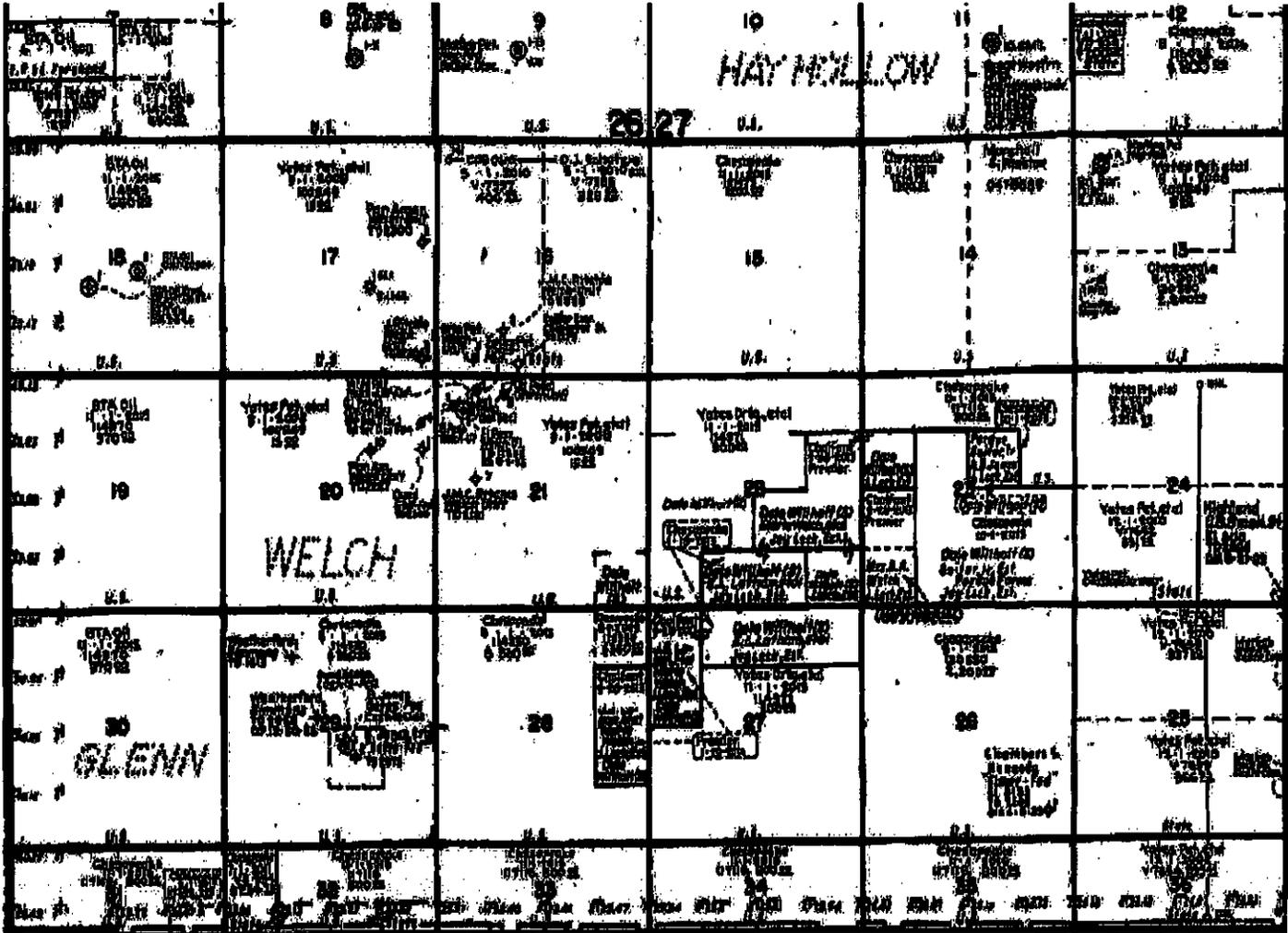
12445  
NELSON J. MARSHALL  
16

Certificate Number.

Exhibit A

Exhibit B

T-26S, R27E  
Eddy County, NM





MODRALL SPERLING

L A W Y E R S

**EXHIBIT C:**

**Notification List for the Application of Cimarex Energy Co. of Colorado for administrative approval of a non-standard project area for its Foxx 31 Federal Com 4H, API pending, covering 96.47 acres in Section 31, Township 36 South, Range 27 East, N.M.P.M., Eddy County, New Mexico for its Foxx 31 Federal Com 4H (API Pending) well.**

Jennifer L. Bradfute  
505.848.1845  
Fax: 505.848.1862  
jlb@modrall.com

**Section 25, Township 26 South, Range 26 East and Section 30, Township 26 South, Range 27 East**

COG Operating LLC  
One Concho Center  
600 W. Illinois Ave.  
Midland, TX 79701

**Section 36, Township 26S, Range 26 East, and Sections 29 and 32, Township 26 South, Range 27 East**

Cimarex Energy Co.  
600 N. Marienfeld Street, Suite 600  
Midland, TX 79701

Modrall Sperling  
Roehl Harris & Sisk P.A.

Bank of America Centre  
500 Fourth Street NW  
Suite 1000  
Albuquerque,  
New Mexico 87102

PO Box 2168  
Albuquerque,  
New Mexico 87103-2168

Tel: 505.848.1800  
www.modrall.com

**CIMAREX APPLICATION NOTICE**  
**FOXX 31 FED COM 4 H**  
**MAILED: OCTOBER 26, 2016**

<b>PARTIES</b>	<b>CERTIFIED RECEIPT NO.</b>
COG Operating LLC One Concho Center 600 W. Illinois Ave. Midland, TX 79701	7014-3490-0001-8089-8697

Y:\dox\client\82762\0128\INDEX\W2815295.DOCX



MODRALL SPERLING

L A W Y E R S

October 26, 2016

Jennifer L. Bradfute  
505.848.1845  
Fax: 505.848.1882  
jlb@modrall.com

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**TO AFFECTED PARTIES**

***Re: Notification of Cimarex Energy Co. of Colorado Application of Cimarex Energy Co. of Colorado for administrative approval of a non-standard project area covering 96.47 acres in Section 31, Township 36 South, Range 27 East, N.M.P.M., Eddy County, New Mexico for its Foxx 31 Federal Com 4H (API Pending) well.***

Ladies and Gentlemen:

Enclosed in this notice is a copy of the above referenced non-standard project area application filed with the New Mexico Conservation Division on this date. Cimarex Energy Co. of Colorado ("Cimarex") (OGRID No. 251099) is seeking administrative approval under Division Rules 19.15.16.7(L), (M) and 19.15.16.15(E) NMAC for a non-standard project area for its Foxx 31 Federal Com 4H Well, API pending, which is a horizontal well located in Section 31, Township 26 South, Range 27 East, N.M.P.M., Eddy County, New Mexico. This well is located as follows:

- **Proposed Project Area:** Lots 2-5 in Section 31 of Township 26 South, Range 27 East, N.M.P.M., Eddy County, New Mexico.

Any protests that you have to the designation of this proposed project area must be in writing and mailed within twenty days after the date of this notice to Cimarex at the below address.

Terri Stathem  
Manager – Regulatory Compliance  
Cimarex Energy Co.  
202 S. Cheyenne Ave. Suite 1000  
Tulsa, OK 74103-3001  
Phone: 432-620-1936

Modrall Spierling  
Roethi Harris & Sisk P.A.

Bank of America Centre  
500 Fourth Street NW  
Suite 1000  
Albuquerque,  
New Mexico 87102

PO Box 2168  
Albuquerque,  
New Mexico 87103-2168

Tel: 505.848.1800  
www.modrall.com

Page 2

If no protests are received within twenty days, this non-standard project area may be administratively approved by the Division. Please contact me should you have any questions concerning this notice.

Sincerely,

 on behalf of  
Jennifer L. Bradfute  
*Attorney for Cimarex Energy Co. of*

## **Lowe, Leonard, EMNRD**

---

**From:** Jennifer L. Bradfute <jlb@modrall.com>  
**Sent:** Wednesday, November 16, 2016 3:26 PM  
**To:** Lowe, Leonard, EMNRD  
**Subject:** FW: Cimarex: NSP application  
**Attachments:** NSP Application Foxx 31 Fed Com 4H Well (W2816287).pdf

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**From:** Zoe Lees  
**Sent:** Wednesday, October 26, 2016 10:22 AM  
**To:** Leonard.Lowe@state.nm.us  
**Cc:** Jennifer L. Bradfute  
**Subject:** Cimarex: NSP application

Good Morning Mr. Lowe,

I am submitting the attached NSP application on behalf of Cimarex Energy Co. of Colorado for its Foxx 31 Federal Com well located in Section 31, Township 26 South, Range 27 East in Eddy County. This is a new application. Please let me know if you have any questions.

Thank you,  
Zoe



Zoë E. Lees  
Attorney at Law  
Modrall Sperling | [www.modrall.com](http://www.modrall.com)  
P.O. Box 2168 | Albuquerque, NM 87103-2168  
500 4<sup>th</sup> St. NW, Ste. 1000 | Albuquerque, NM 87102  
D: 505.848.1859 | O: 505.848.1800 | F: 505.848.9710

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Any U.S. federal tax advice contained herein (including any attachments), unless specifically stated otherwise, is not intended or written to be used, and cannot be used, for the purposes of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter herein.

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Modrall, Sperling, Roehl, Harris & Sisk, P.A. THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL, EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW, AND PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any review, dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please do not read it, delete it from your system without copying it, and notify the sender by reply e-mail or by calling 505.848.1800, so that our address record can be corrected. Thank you.

Cimarex Energy Co.  
600 N. Marienfeld St.  
Suite 600  
Midland, TX 79701  
MAIN 432.571.7800



November 18, 2016

Mr. Leonard Lowe  
New Mexico Oil Conservation Division  
1220 S. St. Francis Dr.  
Santa Fe, NM 87505

**RE: Foxx 31 Fed Com 4H  
API# 30-015-43150  
Section 31, T26S-R27E, NMPM  
Eddy County, NM**

Dear Mr. Lowe,

Cimarex Energy Co.'s Foxx 31 Fed Com 4H well is located in Section 31, T26S-R27E, NMPM, Eddy County, New Mexico. Section 31 is an irregular shaped section along the state line of New Mexico and Texas consisting of 256.36 acres.

The section consists of two tracts: (1) Lots 1-4, NE/4NW/4 & N/2NE/4, being 232.98 acres, and (2) Lot 5, being 23.38 acres. Tract 1 is covered by Fed Lease NMNM-117116 and Tract 2 is covered by Fed Lease NMNM-117549. The Fox 31 Fed Com 4H wellbore will traverse Lots 3, 4, 5 & 2.

In spite of there being multiple tracts, the ownership throughout the entire section, including royalty, overriding royalty, and working interests, are identical. Cimarex Energy Co. is the operator throughout the entire section, Cimarex and Chevron U.S.A. Inc. each own a 50% working interest throughout the entire section, Chevron owns a proportionately reduced overriding royalty interest throughout the entire section, and the BLM's royalty interest is 12.5% throughout the entire section.

If you have any further questions regarding ownership in this section, please contact me at 432.571.7858.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Meador".

Todd Meador  
Landman

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 Orazoa Road, Artec, NM 87410  
Phone: (505) 334-6178 Fax: (505) 334-6170  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505  
Phone: (505) 476-3460 Fax: (505) 476-3462

State of New Mexico  
Energy, Minerals & Natural Resources Department  
**OIL CONSERVATION DIVISION**  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Form C-102  
Revised August 1, 2011  
Submit one copy to appropriate  
District Office

AMENDED REPORT

WELL LOCATION AND ACREAGE DEDICATION PLAT

30-015	<sup>1</sup> API Number 93150	<sup>2</sup> Pool Code 98017	<sup>3</sup> Pool Name WC 015	<sup>4</sup> Well Number Wildcat Wolfcamp 5262728A; WC (9A)
314865	<sup>5</sup> Property Code	<sup>6</sup> Property Name EOXX 31 FEDERAL COM	<sup>7</sup> Well Number 4H	<sup>8</sup> Elevation 3211'
162683	<sup>9</sup> OGRID No.	<sup>10</sup> Operator Name CIMAREX ENERGY CO.		

<sup>11</sup> Surface Location

UL or lot no.	Section	Township	Range	Lat Idn	Feet from the	North/South line	Feet from the	East/West line	County
A	31	26 S	27 E		446	NORTH	332	EAST	EDDY

<sup>12</sup> Bottom Hole Location If Different From Surface

UL or lot no.	Section	Township	Range	Lat Idn	Feet from the	North/South line	Feet from the	East/West line	County
1	31	26 S	27 E		1027	NORTH	660	WEST	EDDY
<sup>13</sup> Dedicated Acres 256.67		<sup>14</sup> Joint or Infill		<sup>15</sup> Consolidation Code		<sup>16</sup> Order No.			

No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.

<b>NAD 83 (SURFACE LOCATION)</b>	<b>NAD 83 (TARGET BOTTOM HOLE)</b>
LATITUDE = 32°00'16.51" (32.004586)	LATITUDE = 32°00'10.75" (32.002986)
LONGITUDE = 104°13'17.15" (104.221431)	LONGITUDE = 104°14'06.96" (104.235267)
<b>NAD 27 (SURFACE LOCATION)</b>	<b>NAD 27 (TARGET BOTTOM HOLE)</b>
LATITUDE = 32°00'16.07" (32.004464)	LATITUDE = 32°00'10.31" (32.002864)
LONGITUDE = 104°13'45.37" (104.220938)	LONGITUDE = 104°14'05.19" (104.234775)
STATE PLANE NAD 83	STATE PLANE NAD 83
N: 365425.28 E: 576024.32	N: 364839.82 E: 571735.68
STATE PLANE NAD 27	STATE PLANE NAD 27
N: 365368.75 E: 534840.45	N: 364783.35 E: 530551.81

**"OPERATOR CERTIFICATION"**

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.

*[Signature]* 10/18/2013  
Date

**Terri Stathem**  
Printed Name  
tstathem@cimarex.com  
E-mail Address

SCALE  
DRAWN: 01-14-14 C.A.G.  
▲ = SECTION CORNERS LOCATED.

**"SURVEYOR CERTIFICATION"**

I hereby certify that this well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

October 22, 2013  
Date of Survey

*[Signature]*  
Signature and Seal of Professional Surveyor:

Certificate Number:

## OCD Permitting

[Home](#) [Land Searches](#) [Land Details](#)

### Section : 31-26S-27E

Type: Normal

Total Acres: 256.67

County: Eddy (15)

D (1) Federal <sup>1</sup> Federal <sup>2</sup> (15) 40.2	C (C) Federal <sup>1</sup> Federal <sup>2</sup> (15) 40	B (B) Federal <sup>1</sup> Federal <sup>2</sup> (15) 40	A (A) Federal <sup>1</sup> Federal <sup>2</sup> (15) 40
E (2) Federal <sup>1</sup> Federal <sup>2</sup> (15) 26.49	F (5) Federal <sup>1</sup> Federal <sup>2</sup> (15) 23.38	G (4) Federal <sup>1</sup> Federal <sup>2</sup> (15) 23.22	H (3) Federal <sup>1</sup> Federal <sup>2</sup> (15) 23.38

Note<sup>1</sup> = Surface Owner Rights

Note<sup>2</sup> = Sub-Surface Mineral Rights

#### Land Restrictions

No land restrictions found for this section.

[Return to Search](#)