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**CLM Production Company**  
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January 3, 2012

State of New Mexico  
 Oil Conservation Division  
 1220 South Saint Francis Drive  
 Santa Fe, NM 87505  
 FAX: 505-476-3462  
 Attn: Florene Davidson

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Subject: **MOTION FOR CONTINUANCE**  
 OCD Hearing  
 Case #14764  
 Application of Cimarex Energy Co. of Colorado ("Applicant") for a non-standard oil spacing and proration unit, an unorthodox location and compulsory pooling, Lea County, New Mexico.

Ladies and Gentlemen,

CLM Production Company ("Opponent") moves the Division for a continuance of the hearing in Case No. 14764 which is scheduled on Thursday, January 5, 2012 at 8:15 am on the following grounds:

1. The Opponent received an offer dated August 25, 2011 from Applicant to acquire Opponents interest via term assignment. Opponent responded September 21, 2011 stating that Opponent would like to evaluate, and more than likely participate in any proposed drilling rather than term assign.
2. The Opponent received notice on December 21, 2011, that Applicant had filed its application for a non-standard spacing and proration unit, an unorthodox location and compulsory pooling and that the case has been scheduled for hearing before an examiner on January 5, 2012. Opponent did not receive a proposal for drilling.
3. The Opponent contacted applicant December 29, 2012 asking why Opponent was being force pooled. Applicant responded that an Operating Agreement would be forwarded to Opponent and if executed by Opponent, Opponent would not be force pooled in the compulsory pooling.

4. On January 3, 2012 a telephone call was received from Applicant apologizing for the delay in sending the Operating Agreement due to the Holidays, and stated an Operating Agreement was being mailed January 3, 2012.
5. Opponent would have to travel on January 4, 2012 to be in Santa Fe, NM to be available in time for the hearing. There is insufficient time for Opponent to be able to evaluate a proposed Operating Agreement or any drilling proposal prior to the hearing.

For the foregoing reasons, the Opponent requests that the January 5, 2012 hearing in Case No. 14764 be continued to a later date in order to allow the Opponent sufficient time to either evaluate the Operating Agreement that has not yet arrived at the offices of the Opponent, or prepare for a hearing.

I certify that on January 3, 2012, a copy of the foregoing Motion for Continuance was emailed to James Bruce at [jamesbruc@aol.com](mailto:jamesbruc@aol.com), faxed to James Bruce at 505-982-2151, and sent by first class mail, postage prepaid, addressed as follows:

James Bruce  
PO Box 1056  
Santa Fe, NM 87504

Sincerely,



John C. Maxey  
President