

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

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**IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:**

**APPLICATION OF CIMAREX ENERGY CO.
OF COLORADO TO REINSTATE INJECTION
AUTHORITY, EDDY COUNTY, NEW MEXICO.**

**Case No. 14994
Order No. R-13934-B**

ORDER OF THE DIVISION

BY THE DIVISION:

This case came before the Division on the Motion for Rehearing, as amended, filed by George Ross Ranch, LLC ("Ross Ranch"), and the Response thereto filed by Cimarex Energy Co. of Colorado ("Cimarex").

NOW, on this _____ day of December, 2014, the Division Director, having considered the motion and response,

FINDS THAT:

(1) Order No. R-13934 granted Cimarex's request to resume injection into the Amoco Fed. Well No. 1 (API No. 30-015-24666), located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 26 South, Range 29 East, N.M.P.M. The hearing on Cimarex's application was heard on August 19, 2013, and the order was issued on November 19, 2014.

(2) A Division order must be rendered "upon the transcript of testimony and record" before the Division's Examiner. **NMSA §70-2-13.** Because there were no issues with the Amoco Fed. Well No. 1 as of the date of the hearing (and for the prior 24 years), Order No. R-13934 was properly granted.

(3) In July 2014 Cimarex became aware of problems with the subject well, and they were promptly reported to the Division and the Bureau of Land Management. Based thereon, Ross Ranch has requested a rehearing of this case.

(4) A motion for rehearing of a Division order is not authorized by statute or regulation. The only such motion authorized is a motion for rehearing of a Commission order. **NMSA §70-2-25; NMAC 19.15.4.24.** Thus, Ross Ranch's motion is improper and cannot be granted. Ross Ranch's only relief is to apply for a hearing *de novo* before the Commission.

(5) In addition, Ross Ranch's motion or any proceeding thereon is moot. Cimarex plugged and abandoned the Amoco Fed. Well No. 1 on December 6, 2014, and it will not inject into the subject well nor seek any further use of the wellbore.

IT IS THEREFORE ORDERED THAT:

- (1) Ross Ranch's Motion for Rehearing, as amended, is denied.
- (2) The motion is, in any event, moot, and no further proceedings are necessary in this case.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

SCOTT DAWSON
Acting Director

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