

2016 MAR 24 A 11: 32

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

APPLICATION OF BTA OIL PRODUCERS, LLC FOR AN ORDER DIRECTING CIMAREX ENERGY COMPANY OF COLORADO TO SHUT-IN ITS OVER-PRODUCED OIL WELLS IN THE BERRY; BONE SPRING NORTH POOL, ASSESSING PRODUCTION PENALTIES FOR THE OVER-PRODUCTION, AND ORDERING COMPLIANCE WITH THE DIVISION'S OIL PRORATION RULES FOR THE BERRY; BONE SPRING, NORTH POOL, LEA COUNTY, NEW MEXICO.

CASE NO. 15473

PRE-HEARING STATEMENT

NEARBURG PRODUCING COMPANY, ("Nearburg"), provides this Pre-Hearing Statement as required by the rules of the Division.

APPEARANCES

NEARBURG PRODUCING COMPANY	<u>NEARBURG PRODUCING COMPANY'S ATTORNEY</u>
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<u>APPLICANT</u>	<u>APPLICANT'S ATTORNEY</u>
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<u>OPPONENT</u>	<u>OPPONENT'S ATTORNEYS</u>
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CIMAREX ENERGY COMPANY	Jennifer L. Bradfute Modrall Sperling P.O. Box 2168 Albuquerque, NM 87103-2168 jl@modrall.com
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STATEMENT OF THE CASE

Applicant BTA Oil Producers, LLC seeks an order (1) directing Cimarex Energy Company of Colorado (“Cimarex”) to shut-in its over-produced oil wells completed in the Berry; Bone Spring, North Pool underlying the S/2 S/2 of Section 30, Township 20 South, Range 35 East, NMPM, Lea County, New Mexico; (2) assessing production penalties to curtail future over-production and to compensate for all past over-production from said wells; and (3) directing Cimarex to comply with the Division’s oil proration rules for the Berry; Bone Spring North Pool and NMRA 19.15.20.9-12. Said wells are located approximately 16 miles southwest of Monument, New Mexico.

Nearburg Producing Company operates Bone Spring formation wells offsetting the Cimarex wells to the west in Section 25, Township 20 South, Range 35 East, NMPM, and its correlative rights are adversely affected by Cimarex’s overproduction. Nearburg Producing Company supports the relief requested by BTA Oil Producers.

PROPOSED EVIDENCE

INTERESTED PARTY: NEARBURG PRODUCING
COMPANY

EST. TIME

EXHIBITS

WITNESSES: None at this time, but Nearburg reserves the right to present witnesses and other evidence at the hearing.

APPLICANT: BTA OIL PRODUCERS, LLC

EST. TIME

EXHIBITS

WITNESSES:

OPPONENT: CIMAREX ENERGY COMPANY

WITNESSES:

PROCEDURAL MATTERS

None.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

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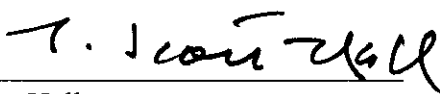
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on March 24, 2016:

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