

Davidson, Florene, EMNRD

From: Cavin & Ingram, P.A. <cilawfirm@aol.com>
Sent: Thursday, July 27, 2017 1:46 PM
To: Davidson, Florene, EMNRD
Cc: earl.debrine@modrall.com; jlb@modrall.com
Subject: OCD Case No. 15756

Ms. Davidson,

Attached is Respondent's Amended Pre-Hearing Statement. Original will follow by mail. Thank you.

Cavin & Ingram, PA

P.O. Box 1216
Albuquerque, NM 87103-1216
Telephone: (505) 243-5400
Facsimile: (505) 243-1700

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-----Original Message-----

From: Cavin & Ingram, P.A. <cilawfirm@aol.com>
To: florene.davidson <florene.davidson@state.nm.us>
Cc: earl.debrine <earl.debrine@modrall.com>; jlb <jlb@modrall.com>
Sent: Wed, Jul 26, 2017 12:23 pm
Subject: OCD Case No. 15756

Attached is Realeza del Spear, LP's Pre-Hearing Statement. Original will follow by mail. Thank you.

Tricia Griego, Legal Assistant

Cavin & Ingram, PA

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

**APPLICATION OF CIMAREX ENERGY CO.
FOR A NON-STANDARD SPACING AND
PRORATION UNIT, AND COMPULSORY
POOLING, LEA COUNTY, NEW MEXICO.**

Case No. 15756

RESPONDENT'S AMENDED PRE-HEARING STATEMENT

Respondent Realeza Del Spear, LP submits this amended pre-hearing statement for the referenced case pursuant to the Rules of the Oil Conservation Division:

APPEARANCES

RESPONDENT

Realeza Del Spear, LP
P.O. Box 1684
Midland, TX 79702

RESPONDENT'S ATTORNEY

Scott S. Morgan
Stephen D. Ingram
Cavin & Ingram, P.A.
P. O. Box 1216
Albuquerque, New Mexico 87103-1216
Telephone: (505) 243-5400
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RESPONDENT'S STATEMENT OF THE CASE

Cimarex Energy Co. ("Cimarex") has brought this action to obtain approval for a non-standard spacing and proration unit, and to compulsorily pool non-participating working interest owners, regarding the E/2W/2 Section 7, Township 20 South, Range 35 East, NMPM. Respondent Realeza Del Spear, LP is an affected working interest owner. Respondent has not yet elected to participate, has not yet had an opportunity to pay its share of drilling costs, or appropriately and adequately review and evaluate the Joint Operating Agreement proposed by Cimarex in connection with such participation. Respondent reasonably believes there may be issues to be raised and addressed in connection with the proposed JOA and related AFE. Additionally, Respondent must

be able to appropriately evaluate this information in connection with a reasonable, fair and adequate lease offer, which has not been made.

RESPONDENT'S PROPOSED EVIDENCE

WITNESS	ESTIMATED TIME	EXHIBITS
Those witnesses called by Cimarex.	10 minutes	Approx. 2 -5
Nelson Spear	45 minutes	Approx. 25-30
Shane Spear	15 minutes	Approx. 5-8

PROCEDURAL MATTERS

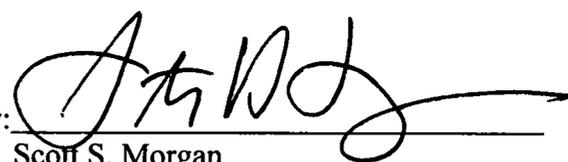
None at this time.

RESPONDENT'S POSITION ON RELIEF SOUGHT

Respondent opposes the issuance of the compulsory pooling relief sought by Cimarex until such time as it has had adequate opportunity to review, evaluate and address issues raised by the proposed JOA and related AFE in connection with the lease offer from Cimarex.

RESPECTFULLY SUBMITTED,

CAVIN & INGRAM, P.A.

By: 

Scott S. Morgan
Stephen D. Ingram

P. O. Box 1216
Albuquerque, NM 87103
(505) 243-5400
smorgan@cilawnm.com

ATTORNEY FOR REALEZA DEL SPEAR, LP

I hereby certify that a true and correct copy of the foregoing was served via U.S. mail and e-mail on July 27, 2017 to the following:

Earl E. DeBrine, Jr.
Jennifer L. Bradfute
Modrall, Sperling, Roehl,
Harris & Sisk, P.A.
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CAVIN & INGRAM, P.A.

By: 
for Scott S. Morgan