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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION TO AMEND RULES OF THE COMMISSION CONCERNING THE DRILLING, SPACING AND OPERATION OF HORIZONTAL WELLS AND RELATED MATTERS BY AMENDING VARIOUS SECTIONS OF RULES 19.15.2, 19.15.4, 19.15.15, AND 19.15.16 NMAC, STATEWIDE

CASE NO. 15957

PRE-HEARING STATEMENT

Energen Resources Corporation ("Energen"), provisionally provides this Pre-Hearing Statement as required by the rules of the Division.

APPEARANCES

ENERGEN RESOURCES CORPORATION

ENERGEN RESOURCES CORPORATION'S ATTORNEY

J. Scott Hall, Esq. MONTGOMERY & ANDREWS, P.A. P.O. Box 2307

Santa Fe, NM 87504-2307 Tele (505) 982-3873 shall@montand.com

APPLICANT

APPLICANT'S ATTORNEY

NEW MEXICO OIL CONSERVATION

DIVISION

Cheryl L. Bada Deputy General Counsel

NM Energy Minerals and Natural

Resources Department 1220 S. St. Francis Drive Santa Fe, NM 87505 cheryl.bada@state.nm.us

OTHER PARTIES

NEW MEXICO OIL AND GAS

ASSOCIATION

Michael H. Feldewert
Jordan L. Kessler
Adam G. Rankin
Holland & Hart LLP
Post Office Box 2208
Santa Fe, NM 87504-2208
mfeldewert@hollandhart.com
agrankin@hollandhart.com

MARATHON OIL PERMIAN LLC

Earl E. DeBrine, Jr. Jennifer Bradfute

Modrall, Sperling, Roehl, Harris & Sisk,

P.A.

Post Office Box 2168 Albuquerque, NM 87103

ilb@modrall.com

earl.debrine@modrall.com

JALAPENO CORPORATION

J.E. Gallegos

Michael J. Condon

Gallegos Law Firm, P.C.

460 St. Michael's Drive, Bldg. 300

Santa Fe, NM 87505 jeg@gallegoslawfirm.net mjc@gallegoslawfirm.net

INDEPENDENT PETROLEUM ASSOCIATION OF NEW MEXICO

Andrew J. Cloutier Hinkle Shanor LLP

P.O. Box 10

Roswell, NM 88202-0010 acloutier@hinklelawfirm.com

STATEMENT OF THE CASE

Rulemaking. The Oil Conservation Division has filed an Application in this matter proposing amendments to the rules concerning the drilling, spacing and operation of horizontal wells and certain related matters.

Energen Resources Corporation is an operator of long-standing in New Mexico and has an interest in the Division's administration of the Oil and Gas Act, the rules and regulations promulgated pursuant thereto and the subject matter of the Division's Application.

PROPOSED EVIDENCE

Energen Resources Corporation does not plan on presenting witness testimony or evidence during the course of the hearing in this matter.

PROCEDURAL MATTERS

Counsel for Energen was engaged to participate in the hearing on the Division's Application after the deadline for the filing of pre-hearing statements. Counsel respectfully requests the Commission's leave to conduct limited examination of one or more of the witnesses to be presented by the parties to this proceeding.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: /s/ J. Scott Hall

J. Scott Hall

Post Office Box 2307

Santa Fe, New Mexico 87504-2307
(505) 982-3873

shall@montand.com

Attorneys for Energen Resources Corporation

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following counsel of record by electronic mail on April 16, 2018:

Cheryl L. Bada
Deputy General Counsel
NM Energy Minerals and Natural Resources
Department
1220 S. St. Francis Drive
Santa Fe, NM 87505
cheryl.bada@state.nm.us

Attorneys for NM Oil Conservation Division

Earl E. DeBrine, Jr.
Jennifer Bradfute
Modrall, Sperling, Roehl, Harris & Sisk, P.A.
Post Office Box 2168
Albuquerque, NM 87103
jlb@modrall.com
earl.debrine@modrall.com

Attorneys for Marathon

Andrew J. Cloutier Hinkle Shanor LLP P.O. Box 10 Roswell, NM 88202-0010 acloutier@hinklelawfirm.com

Attorneys for Independent Petroleum Association of New Mexico

Michael H. Feldewert
Jordan L. Kessler
Adam G. Rankin
Holland & Hart LLP
Post Office Box 2208
Santa Fe, NM 87504-2208
mfeldewert@hollandhart.com
agrankin@hollandhart.com

Attorneys for NMOGA

J.E. Gallegos
Michael J. Condon
Gallegos Law Firm, P.C.
460 St. Michael's Drive, Bldg. 300
Santa Fe, NM 87505
jeg@gallegoslawfirm.net
mjc@gallegoslawfirm.net

Attorneys for Jalapeno Corporation

/s/ J. Scott Hall

J. Scott Hall