

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

IN THE MATTER OF THE APPLICATION
OF CIMAREX ENERGY COMPANY
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO

CASE NO. 13826

MOTION FOR CONTINUANCE

Mewbourne Oil Company (“Mewbourne”), moves the Division enter its order continuing the hearing in this matter from the November 30, 2006 hearing docket to the December 13, 2006 docket. As grounds for this motion, Mewbourne states:

1. Applicant Cimarex Energy Company (“Cimarex”) is the applicant in Case No. 13826 seeking to pool unjoined interests in the W/2 of Section 29, T19S, R28E for the drilling of its proposed Fadeaway Ridge “29” State Com Well No. 1 to be drilled to the Morrow formation from a standard gas well location in the SW/4 of Section 29. Cimarex filed its application for compulsory pooling in this matter on or before November 9, 2006.

2. Mewbourne is the applicant in Case No. 13827 seeking the pooling of all unjoined interests in the E/2 of Section 29, T19S, R28E for the drilling of its proposed Springfield “29” State Com Well No. 1 to be drilled at a standard location in the SE/4 of Section 29. Mewbourne is also the owner of interests in the W/2 of Section 29 within the gas spacing and proration unit which Cimarex proposes to dedicate to its Fadeaway Ridge “29” State Com Well No. 1.

3. It is Mewbourne’s position that Cimarex has not made the good faith effort to obtain the voluntary participation of Mewbourne in Cimarex’s proposed well as required by NMSA 1978 § 70-2-17 and § 70-2-18. Correspondingly, Mewbourne proposes that the November 30, 2006 hearing be continued. A continuance will afford the parties further

opportunity to negotiate voluntary participation in the drilling of the referenced well and may obviate the need for a hearing altogether.

4. Cimarex opposes this motion for the reason that a drilling rig is soon scheduled to move onto location.

WHEREFORE, Mewbourne Oil Company requests the Division enter its order granting the relief requested herein and in continuing the hearing in this matter to the December 13, 2006 Examiner hearing docket.

Respectfully submitted:

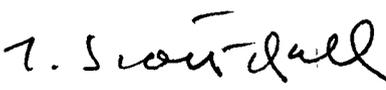
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Certificate of Service

I hereby certify that a true and correct copy of the foregoing was faxed to counsel of record on the 21st day of November, 2006, as follows:

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