

Brooks, David K., EMNRD

From: Brooks, David K., EMNRD
Sent: Wednesday, December 10, 2008 11:50 AM
To: 'JamesBruc@aol.com'
Subject: Case No. 14195; Application of Cimarex Energy Co. for a Non-Standard Unit etc.

Dear Jim

It seems I failed to notice a discrepancy regarding notice at the hearing of this case on October 16.

Mr. Tresner's affidavit, in identifying offset operators, includes the W/2 of Section 10, which does not offset the proposed unit, the S/2 N/2 of Section 16. The affidavit omits the W/2 of Section 17, which does offset the proposed unit. The affidavit identified COG and Chesapeake as owners in the W/2 of Section 10, and those were the parties noticed according to your notice affidavit. The land map attached, however, identified Chesapeake and Harvey E. Yates as owners in W/2 of Section 17, the correct offset.

Please have Mr. Tressner furnish a correct affidavit. If there is any owner in the W/2 of Section 17 who is an "affected person," who has not received notice, we will have to re-set this case to give the appropriate notice. That may not be necessary, however. Our system shows that COG operates three offsetting wells in Section 15 – its Hercules ## 1, 2 and 3. However, I have not been able to ascertain in what formation those wells are completed if they are. If those wells are completed in the Wolfcamp, then COG is the Division-designated operator, and no one else would need notice.

Please advise,

David