



**MONTGOMERY  
& ANDREWS**

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November 25, 2008

HAND DELIVERED

Florene Davidson  
 New Mexico Oil Conservation Division  
 1220 S. St. Francis Drive  
 Santa Fe, NM 87505

Re: **IN THE MATTER OF THE HEARING CALLED BY THE OIL  
 CONSERVATION DIVISION FOR THE PURPOSE OF CONSIDERING:  
 CIMAREX ENERGY CO. FOR APPROVAL OF 160-ACRE  
 NON-STANDARD OIL SPACING AND PRORATION UNIT AND FOR  
 COMPULSORY POOLING, CHAVES COUNTY, NEW MEXICO;  
 Case Nos. 14253 and 14254**

WVJ 12/1/08

Dear Florene:

Enclosed for filing in each of the above-referenced cases are an original and one copy of COG Operating LLC's Pre-Hearing Statement.

Very truly yours,

Brenda Wells, Secretary  
 on behalf of J. Scott Hall

:bjw  
 Enclosure  
 cc: David Copeland (w/encl; via U.S. mail)

**REPLY TO:**

325 Paseo de Peralta  
 Santa Fe, New Mexico 87501  
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 Albuquerque, New Mexico 87176-6210

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

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**IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
DIVISION FOR THE PURPOSE OF CONSIDERING:**

**CIMAREX ENERGY CO. FOR APPROVAL  
OF A 160-ACRE NON-STANDARD OIL SPACING  
AND PRORATION UNIT AND FOR COMPULSORY  
POOLING, CHAVES COUNTY, NEW MEXICO**

**CASE NO. 14253**

**PRE-HEARING STATEMENT**

This prehearing statement is submitted by COG Operating LLC as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT**

Cimarex Energy Company

**ATTORNEY**

James Bruce, Esq.  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

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**OPPOSITION OR OTHER PARTY**

COG Operating LLC  
550 W. Texas Ave., Suite 1300  
Tower II  
Midland, Texas 79701

**ATTORNEY**

J. Scott Hall, Esq.  
Montgomery & Andrews, P.A.  
325 Paseo de Peralta  
Santa Fe, New Mexico 87501  
(505) 982-3873

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**STATEMENT OF CASE**

**APPLICANT**

Cimarex Energy Company seeks (1) the Division's approval of the creation of 160-acre non-standard Wolfcamp formation proration units, and (2) the forced-pooling of unjoined interests for the drilling of horizontal project area wells on the following lands in T15S, R31E:

1. Antietam 10 Fed. Com. Well No. 1-H  
N/2 S/2 of Section 10

**OPPOSITION OR OTHER PARTY**

COG Operating LLC opposes the Cimarex Application. The lands described in the Cimarex Application are also the subject of compulsory pooling Applications previously filed on behalf of COG Operating LLC in Case No. 14203. An examiner hearing on the merits of the COG Application was held on October 30, 2008 and the case was taken under advisement on November 13, 2008. Cimarex appeared at the hearings on the COG Applications.

**PROPOSED EVIDENCE**

**APPLICANT**

WITNESSES	EST. TIME	EXHIBITS
(Name and expertise)		

**OPPOSITION**

WITNESSES	EST. TIME	EXHIBITS
Jan Spradlin, Landman	30 minutes	3

**PROCEDURAL MATTERS**

(Please identify any procedural matters which  
need to be resolved prior to the hearing)

None.

Respectfully submitted,

*J. Scott Hall*

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J. Scott Hall  
Montgomery & Andrews, P. A.  
325 Paseo de Peralta  
Santa Fe, New Mexico 87501  
(505) 982-3873  
Attorneys for COG Operating LLC

**Certificate of Service**

I hereby certify that on this 25<sup>th</sup> day of November, 2008 a copy of the foregoing was faxed to the following:

James Bruce, Esq.  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2151 – fax

*J. Scott Hall*

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J. Scott Hall