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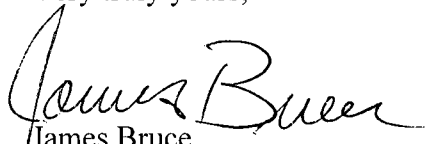
Case 14264

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

Dear Florene:

Enclosed for filing, on behalf of Cimarex Energy Co., are an original and one copy of an application for compulsory pooling, *etc.*, together with a proposed advertisement. The advertisement has also been e-mailed to the Division. Please set this matter for the January 8, 2009 Examiner hearing. Thank you.

Very truly yours,


James Bruce
Attorney for Cimarex Energy Co.

PERSONS BEING NOTIFIED

Marie A. Gass
address unknown

Annie or Byron Abell
address unknown

Zilpha S. Todd
address unknown

Al McInnis
address unknown

Marrion E. and Fred A. Dushane
address unknown

John W. or Jennie E. Rheinhardt
address unknown

Natalie Swan Baron Abbot
address unknown

Jason P. and Mary E. Phelps
address unknown

Joshua F. and Ruth E. Cockey
address unknown

Elizabeth Northrup
address unknown

Aubrey Eugene Edwards, Deceased
address unknown

A.W. Hasselburg
address unknown

Sophie B. Schenck, Deceased
address unknown
(Probable heir is Henrietta Schenck,
whom we previously force pooled)

Nannie Allen Edwards, Deceased
(Probable heir that is unleased is
Aubrey Eugene Edwards)

Willie Frances Lilley, Deceased
(Probable heirs are Gayle Fulton
Lilley & Frank Lilley, whom we
previously force pooled)

Elizabeth Fulton, Deceased
(Probable heir that we haven't force
pooled is Willie Frances Lilley and
the probable heir that we have force
pooled is Virginia Fulton Gaussa)

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

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

Case No. 14264

APPLICATION

Cimarex Energy Co. applies for an order (i) approving a non-standard oil spacing and proration unit in the Wolfcamp formation comprised of Lot 4 and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (the W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 6, Township 15 South, Range 38 East, N.M.P.M., Lea County, New Mexico, (ii) pooling all mineral interests in the Wolfcamp formation underlying the non-standard unit, and (iii) approving an unorthodox oil well location in the Wolfcamp formation, and in support thereof, states:

1. Applicant is an interest owner in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6, and has the right to drill a well thereon.
2. Applicant has drilled its Harvard 6 Fee Well No. 2, to a depth sufficient to test the Wolfcamp formation, and seeks to dedicate the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6 to the well to form a non-standard 80.04 acre oil spacing and proration unit (project area) for any formations and/or pools developed on 40 acre spacing within that vertical extent, including the Denton-Wolfcamp Pool. The well is horizontal well, with a surface location 430 feet from the north line and 430 feet from the west line, and a terminus at an unorthodox location 2595 feet from the north line and 441 feet from the west line, of Section 6.
3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6 for the purposes set forth herein.

4. Although applicant attempted to obtain voluntary agreements from all mineral interest owners to participate in the drilling of the well or to otherwise commit their interests to the well, certain interest owners have failed or refused to join in dedicating their interests. Therefore, applicant seeks an order pooling all mineral interest owners in the W½NW¼ of Section 6, pursuant to NMSA 1978 §70-2-17.

5. The approval of the non-standard unit, unorthodox location, and the pooling of all mineral interests underlying the W½NW¼ of Section 6 will prevent the drilling of unnecessary wells, prevent waste, and protect correlative rights.

WHEREFORE, applicant requests that, after notice and hearing, the Division enter its order:

- A. Approving a non-standard oil spacing and proration unit (project area) in the Wolfcamp formation comprised of the W½NW¼ of Section 6;
- B. Pooling all mineral interests in the W½NW¼ of Section 6 in the Wolfcamp formation;
- C. Approving the unorthodox oil well location in the Wolfcamp formation;
- D. Designating applicant as operator of the well;
- E. Considering the cost of drilling and completing the well, and allocating the cost among the well's working interest owners;
- F. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and
- G. Setting a 200% charge for the risk involved in drilling and completing the well in the event a working interest owner elects not to participate in the well.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James Bruce", written over a horizontal line.

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

Attorney for Cimarex Energy Co.

PROPOSED ADVERTISEMENT

Case No. 14264 :

Application of Cimarex Energy Co. for a non-standard oil spacing and proration unit, compulsory pooling, and an unorthodox oil well location, Lea County, New Mexico.

Cimarex Energy Co. seeks an order approving a non-standard oil spacing and proration unit (project area) comprised of Lot 4 and the SW/4NW/4 of Section 6, Township 15 South, Range 38 East, NMPM, to form a non-standard 80.04-acre oil spacing and proration unit (project area) for any and all formations or pools developed on 40-acre spacing within that vertical extent, including the Denton-Wolfcamp Pool, and pooling all mineral interests in the Wolfcamp formation underlying the non-standard unit. The unit is to be dedicated to the Harvard 6 Fee Well No. 2, a horizontal well drilled at a surface location 430 feet from the north line and 430 feet from the west line, with a terminus at an unorthodox location 2595 feet from the north line and 441 feet from the west line, of Section 6. Applicant also requests approval of the unorthodox location in the Wolfcamp formation. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The unit is located approximately 4-1/2 miles southeast of Prairieview, New Mexico.