

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

**APPLICATION OF CIMAREX ENERGY CO.,  
TO REOPEN CASE NO. 22148 (ORDER NO. R-21035-A)  
FOR AN EXTENSION OF THE WELL  
COMMENCEMENT DEADLINE.**

**Case No. 22576**  
Reopen Case No. 22148;  
Order No. R-21035-A

**PREHEARING STATEMENT**

Cimarex Energy Co. ("Cimarex"), OGRID No. 215099, through its undersigned attorneys, submits the following Prehearing Statement pursuant to the rules of the Oil Conservation Division ("Division").

**APPEARANCES**

**APPLICANT**

Cimarex Energy Co.

**ATTORNEY**

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**INTERESTED PARTY**

Colgate Operating, LLC  
An affiliate of Colgate Energy

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### **APPLICANT'S STATEMENT OF CASE**

In Case No. 22576, Cimarex seeks an order (1) acknowledging and affirming that the notice letter to Colgate Energy and its subsidiary Colgate Operating, LLC (collectively "Colgate"), as a minority working interest owner of record, pursuant to NMAC 19.15.4.9 and the Application to Reopen filed February 1, 2022, has been properly sent and received pursuant to said Application; and therefore, the notice requirement due Colgate for the pooling of the Subject Lands described herein has been satisfied, and (2) affirming and upholding the validity, effectiveness, and applicability of the Division's **Order No. R-21035-A**, as issued, including its applicability to Colgate, for extending the well commencement deadline for a nine-month period ending October 23, 2022.

The order Cimarex seeks to have affirmed, **Order No. R-21035-A**, amended **Order No. R-21035**, which pooled all uncommitted interests in the Bone Spring formation underlying the S/2 N/2 of Sections 16 and 17, Township 19 South, Range 29 East, NMPM, Eddy County, New Mexico, and granted Cimarex the operating rights for the proposed **Parkway 16-17 State Com 2H Well** and development of these lands as a unit. Order No. R-21033-A extended the period to drill and/or complete the well for the nine-month period ending October 23, 2022.

In the present case, Colgate seeks the order after noticing, and seeking to cure, an oversight to provide letter notice to Colgate who, between the issuance of **Order No. R-21035** and that of **Order No. 21035-A**, had acquired a minority interest from two other owners who were listed in the original title work. Cimarex inadvertently used a mailing list that was not fully updated, and

the notice letter that should have been mailed to Colgate was, by unintentional oversight, mailed to the two prior interest owners instead. Case No. 22576 provides to Colgate a notice letter of this case and opportunity to make an appearance and address any concerns.

**APPLICANT'S PROPOSED EVIDENCE**

WITNESS	ESTIMATED TIME	EXHIBITS
Landman: Riley Morris	Approx. 5 min	Approx. 1

**PROCEDURAL MATTERS**

Cimarex requests that, for purposes of the hearings, this Case No. 22576 be consolidated with Case No. 22575 as they involve units within the same sections. No protests or objections have been filed and Cimarex does not anticipate any at this time; consequently, Cimarex plans to conduct the hearing by affidavit.

Respectfully submitted,

ABADIE & SCHILL, PC

/s/ Darin C. Savage

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**Attorneys for Cimarex Energy Co.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was filed with the New Mexico Oil Conservation Division and was served on counsel of record via electronic mail on February 24, 2022:

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/s/ Darin C. Savage

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**State of New Mexico**  
**Energy, Minerals and Natural Resources**  
**Oil Conservation Division**  
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QUESTIONS  
  
Action 84112

QUESTIONS

Operator: CIMAREX ENERGY CO. 600 N. Marienfeld Street Midland, TX 79701	OGRID: 215099
	Action Number: 84112
	Action Type: [HEAR] Prehearing Statement (PREHEARING)

QUESTIONS

Testimony	
Please assist us by provide the following information about your testimony.	
Number of witnesses	1
Testimony time (in minutes)	5