

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

**APPLICATION OF COLGATE OPERATING,
LLC FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 21744 (de novo)
Division Order No. R-21575
Division Case No. 21629**

**APPLICATIONS OF CIMAREX ENERGY CO.
FOR HORIZONTAL SPACING AND PRORATION UNITS
AND COMPULSORY POOLING
EDDY COUNTY, NEW MEXICO.**

CASE NO. 22018-22019

UNOPPOSED MOTION FOR CONTINUANCE

Colgate Operating, LLC (“Colgate”) moves the Commission to continue the above-referenced matters to a status conference at the regularly scheduled Commission meeting on November 9, 2023. In support, Colgate states the following.

1. The Commission reset its September 14, 2023 Commission meeting to September 7, 2023 and set these matters for a status conference on that date; however, September 7 is the same day as the Division’s regularly scheduled hearing docket.
2. Counsel for Colgate and Cimarex have numerous cases on the Division’s September 7 hearing docket, creating a timing conflict that will make it difficult for counsel to appear at a status conference in these matters on the same date.
3. In addition, Mewbourne Oil Company recently filed compulsory pooling applications with the Division under Case Nos. 23688-23691 that purport to compete with Colgate’s approved Division Order No. R-21575, which is the subject of this de novo proceeding. Those applications are set for a contested Division hearing on September 21, 2023.

4. Continuing these matters to a status conference on November 7, 2023 will avoid the timing conflict on September 7 and will provide time for the recently filed Mewbourne applications to be initially addressed by the Division.

5. Counsel for Cimarex does not oppose this motion.

6. WHEREFORE, Colgate respectfully requests that the Commission grant this motion and that Case Nos. 21744 and 22018 and 22019 be continued to a status conference at the Commission's November 9, 2023 meeting.

Respectfully submitted,

HOLLAND & HART LLP



Michael H. Feldewert
Adam G. Rankin
Julia Broggi
Paula M. Vance
Post Office Box 2208
Santa Fe, New Mexico 87504-2208
(505) 988-4421
(505) 983-6043 Facsimile
mfeldewert@hollandhart.com
agrarkin@hollandhar.com
jbroggi@hollandhart.com
pmvance@hollandhart.com

Attorneys for Colgate Operating, LLC

CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2023, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

Darin C. Savage
Andrew D. Schill
William E. Zimsky
ABADIE & SCHILL, PC
214 McKenzie Street
Santa Fe, New Mexico 87501
(970) 385-4401
(970) 385-4901 FAX
darin@abadieschill.com
andrew@abadieschill.com
bill@abadieschill.com

**ATTORNEYS FOR CIMAREX ENERGY CO. AND
AFFILIATE MAGNUM HUNTER PRODUCTION, INC.**

Jordan L. Kessler
EOG RESOURCES, INC.
125 Lincoln Avenue, Suite 213
Santa Fe, New Mexico 87501
(432) 488-6108
Jordan_kessler@eogresources.com

ATTORNEY FOR EOG RESOURCES, INC.



Adam G. Rankin