

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

**APPLICATION OF CIMAREX ENERGY
CO. FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

Case No. 23091

**RESPONSE OF CIMAREX TO MOTION FOR CONTINUANCE,
AND MOTION TO DISMISS OBJECTION**

Realeza Del Spear (Spear) has filed a motion for a continuance, and an objection to proceeding by affidavit. Cimarex Energy Co. ("Cimarex") requests that the motion be denied and the objection be dismissed for the very simple reason discussed briefly below:

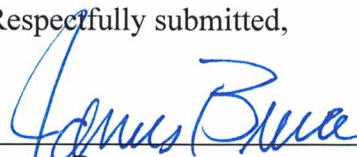
Spear claims that Cimarex has not engaged in communications with Spear, and it only has recent knowledge of the application.

Please see the e-mail attached hereto as **Exhibit 1**. First, it shows that Spear has known of this matter for over 1-1/2 years. More importantly, Spear states that it has leased its mineral interest to Del Rey Holdings. As a royalty owner Cimarex did not need to negotiate with Spear, it is not being pooled, and it has no standing to object or file its motion.

Del Rey Holdings was notified of this hearing, as will be shown by the exhibits presented. The undersigned mistakenly did not remove Spear's name from the notice list. Notice was recently given (again) to working interest owners as a matter of courtesy simply because the case has been pending for a long time.

WHEREFORE, Cimarex requests that the motion be denied and the objection be dismissed.

Respectfully submitted,



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

Attorney for Cimarex Energy Co.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 30th day of October, 2023 by e-mail:

- Michael Feldewert - mfeldewert@hollandhart.com
- Adam Rankin - agrarkin@hollandhart.com
- Paula Vance - pmvance@hollandhart.com
- Kyle Perkins - kperkins@matadorresources.com
- Scott Morgan - smorgan@cilawnm.com



James Bruce

Cimarex Forced Pooling Eddy County - Sections 8, 17, 20 T25S R27E

From: Lori Saunders (lori@spearbrothersgroup.com)
To: tom@delreyholdings.com
Cc: nelson@spearbrothersgroup.com; shane@spearbrothersgroup.com; jamesbruc@aol.com
Date: Tuesday, February 15, 2022 at 01:50 PM MST

Good afternoon Mr. Morris:

Please see the attached. Del Rey leased Realeza Del Spear's interest in Section 20 effective December 1, 2021. We are listed as Trabajo Del Spear; however, Realeza Del Spear did not convey the mineral interests to Trabajo.

The hearing is scheduled for Thursday, February 17, we apologize for the time constraints, but we only received this letter yesterday.

Best regards,

Lori Saunders
Office Manager
Spear Brothers Group

www.SpearBrothersGroup.com

Realeza Del Spear, LP
Trabajo Del Spear, LP
Tierra Del Spear, LP

Spear Brothers Sheep and Cattle Co., LLC
Southern Onshore Exploration, LLC
Gulf Coast Oil & Gas Company
Conquistador Petroleum, LLC
Hondo Mining Company, LLC
El Kabong Properties, LLC
Rodeo Oil Company, LLC
Los Cinco Picadores, LLC
Rebel Oil Company, LLC
Sun-West Oil & Gas, Inc.
Bar NND Ranches, LLC
Inez Investments, Inc.

(432)683-8420
PO Box 1684
Midland, TX 79702

Count W. City

EXHIBIT

1

The information contained in this message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to sender via email. We will reimburse you for any costs you incur. Thank you.