

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

**APPLICATIONS OF MARATHON OIL PERMIAN  
LLC FOR COMPULSORY POOLING AND, TO THE  
EXTENT NECESSARY, APPROVAL OF AN  
OVERLAPPING SPACING UNIT,  
EDDY COUNTY, NEW MEXICO.**

**Case No. 24085**

**JOINT MOTION FOR INCLUSION OF SPECIAL PROVISION  
IN POOLING ORDER AND CIMAREX'S WITHDRAWAL OF  
ITS OBJECTION PURSUANT TO SUCH INCLUSION**

Coterra Energy, Inc., and its subsidiaries including Cimarex Energy Co. (collectively "Cimarex") and Marathon Oil Permian LLC ("Marathon") have agreed to resolve their dispute regarding the above-referenced case, and pursuant to such agreement jointly submit to the Oil Conservation Division ("Division" or "OCD"), this Joint Motion for Inclusion of Special Provision in Pooling Order and Cimarex's Withdrawal of its Objection Pursuant to such Inclusion ("Motion"). In support of the Motion, Cimarex and Marathon ( the "Parties") state the following:

1. The dispute and objection to the case, referenced above, arose from Cimarex's concerns regarding the location and placement of the wells as originally proposed by Marathon.
2. After Cimarex filed its objection and the OCD set a hearing date, the Parties engaged in negotiations to address the concerns and resolve the dispute. Marathon made certain adjustments to the location and placement of the wells, and consequently, the negotiations were successful. In the end, the Parties reached a resolution contingent upon a Special Provision being included in the Pooling Order to be issued in Case No. 24085. Attached as Exhibit 1 hereto is a copy of the Special Provision agreed to by the Parties ("Special Provision").

3. The Special Provision acknowledges and stipulates that the location and placement of Cobra Cobretti wellbores, as negotiated, are material factors in Marathon's presentation of its case to the OCD at the pooling hearing, and if a change to their location is made during the APD process, then Marathon will provide notice to Cimarex regarding such change.

WHEREFORE, in accordance with their resolution, the Parties request that the Special Provision be included in the Pooling Order to be issued in Case No. 24085. Furthermore, Cimarex withdraws its objection pursuant to the Special Provision being included in the Pooling Order so that Marathon may proceed with Case No. 24085 by affidavit. For the sake of efficiency, the Parties respectfully request that the Division review and address this Motion at the start of the hearing scheduled for May 2, 2024, in order that Marathon may proceed without challenge to the case.

Respectfully and Jointly Submitted,

ABADIE & SCHILL, PC

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