

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

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

Case No. 23091

RESPONDENT'S MOTION FOR CONTINUANCE

Realeza Del Spear, LP, a mineral interest owner and Respondent in this matter, moves for a continuance of the November 2, 2023 hearing on the Application of Applicant Cimarex Energy Co. to the hearing examiner's hearing docket of January 18, 2024, and in support thereof would show as follows:

Applicant has not engaged in communication with Respondent to obtain a voluntary pooling agreement, and Respondent did not receive the Application for Compulsory Pooling until October 25, 2023. Thus, Respondent has not been given adequate notice and additional time is necessary for Respondent to review the pleadings and prepare for the hearing. Based on a review of the provided materials, Respondent wishes to have additional time to prepare their evidence for the hearing prior to having its interests subject to being force-pooled and/or prior to the time for submission of its share of drilling costs in connection with its participation in the proposed wells. Respondent does not believe that the requested continuance would prejudice Applicant and that Applicant has not yet met the statutory requirements requisite to pooling Respondent's interest,

and Respondent's request for a continuance would serve the interests of preventing waste and protecting correlative rights.

RESPECTFULLY SUBMITTED,

CAVIN & INGRAM, P.A.

By:



Scott S. Morgan
Brandon D. Hajny
Timothy J. Baker
P. O. Box 1216
Albuquerque, NM 87103
(505) 243-5400
smorgan@cilawnm.com
bhajny@cilawnm.com
tbaker@cilawnm.com

ATTORNEYS FOR RESPONDENT
Realeza Del Spear, LP

I hereby certify that a true and correct copy of the foregoing was served via email and U.S. mail on October 27, 2023 to the following:

Michael H. Feldewert
Adam G. Rankin
Julia Broggi
Paula Vance
HOLLAND & HART, LLP
PO Box 2208
Santa Fe, NM 87504
(505) 988-4421
mfeldewert@hollandhart.com
agrarkin@hollandhart.com
jbroggi@hollandhart.com
pmvance@hollandhart.com

James Bruce
PO Box 1056
Santa Fe, NM 87504
(505) 982-2043
jamesbruc@aol.com

Kyle Perkins
MATADOR RESOURCES COMPANY
5400 Lyndon B Johnson Fwy Ste 1500
Dallas, TX 75240-1017
(972) 371-5200
kperkins@matadorresources.com

CAVIN & INGRAM, P.A.

By: 

Scott S. Morgan