

From: [Riley Morris](#)
To: [Lowe, Leonard, EMNRD](#); [Deana M. Bennett](#)
Cc: [Kaimi Brownlee](#); [Dylan Park](#)
Subject: RE: [EXTERNAL] RE: PROTEST: Cimarex Energy Co. 4 NSL applications, Riverbend Wells No. 1H, 2H, 19H, 20H_Date: 08/24/22
Date: Friday, October 28, 2022 10:21:34 AM

Thank you, Mr. Lowe. We will reflect these numbers in our files.

Riley C. Morris, RPL
Sr. Landman, Permian Business Unit

From: Lowe, Leonard, EMNRD <Leonard.Lowe@emnrd.nm.gov>
Sent: Friday, October 28, 2022 10:53 AM
To: Riley Morris <Riley.Morris@coterra.com>; Deana M. Bennett <deana.bennett@modrall.com>
Subject: RE: [EXTERNAL] RE: PROTEST: Cimarex Energy Co. 4 NSL applications, Riverbend Wells No. 1H, 2H, 19H, 20H_Date: 08/24/22

Mr. Riley Morris,

Thank you for the notice update of the protested NSL applications. OCD will withdraw the applications indicated below. These NSL applications will be saved for record only in the following NSL order numbers.

| ACTION ID. No. | Application No. | NSL | AMD | Applicant | OGRID | WELL NAME |
|----------------|-----------------|------|-----|--------------------|--------|---|
| 134733 | pLEL2223432944 | 8429 | - | Cimarex Energy CO. | 215099 | Riverbed 12 13 Federal Com Well No. 20H |
| 134716 | pLEL2223134538 | 8428 | - | Cimarex Energy CO. | 215099 | Riverbed 12 13 Federal Com Well No. 19H |
| 134701 | pLEL2223132903 | 8427 | - | Cimarex Energy CO. | 215099 | Riverbed 12 13 Federal Com Well No. 2H |
| 134691 | pLEL2223130717 | 8426 | - | Cimarex Energy CO. | 215099 | Riverbed 12 13 Federal Com Well No. 1H |

Leonard R. Lowe
Engineering Bureau
OCD - EMNRD
5200 Oakland Ave. NE
Albuquerque, N.M. 87113
C: 505-930-6717
<http://www.emnrd.state.nm.us/ocd/>

From: Riley Morris <Riley.Morris@coterra.com>
Sent: Monday, October 24, 2022 1:47 PM
To: Lowe, Leonard, EMNRD <Leonard.Lowe@emnrd.nm.gov>; Deana M. Bennett <deana.bennett@modrall.com>
Cc: jbradfute@marathonoil.com; Wrinkle, Justin, EMNRD <Justin.Wrinkle@emnrd.nm.gov>; Dylan Park <Dylan.Park@coterra.com>; Kaimi Brownlee <Kaimi.Brownlee@coterra.com>; Rice, Chase F. (MRO) <cfrice@marathonoil.com>
Subject: RE: [EXTERNAL] RE: PROTEST: Cimarex Energy Co. 4 NSL applications, Riverbend Wells No. 1H, 2H, 19H, 20H_Date: 08/24/22
Importance: High

Mr. Lowe,
Please let this email to serve as notice that Cimarex Energy Co. wishes to withdraw our NSL applications for the 4 Riverbed 12-13 wells (1H, 2H, 19H and 20H).

Please let me know if you need anything additional in order to complete this request.

Thank you,
Riley

Riley C. Morris, RPL
Sr. Landman, Permian Business Unit

From: Lowe, Leonard, EMNRD <Leonard.Lowe@emnrd.nm.gov>
Sent: Wednesday, September 21, 2022 6:35 PM
To: Riley Morris <Riley.Morris@coterra.com>; Deana M. Bennett <deana.bennett@modrall.com>
Cc: jbradfute@marathonoil.com; Wrinkle, Justin, EMNRD <Justin.Wrinkle@emnrd.nm.gov>; Dylan Park <Dylan.Park@coterra.com>; Kaimi Brownlee <Kaimi.Brownlee@coterra.com>
Subject: RE: [EXTERNAL] RE: PROTEST: Cimarex Energy Co. 4 NSL applications, Riverbend Wells No. 1H, 2H, 19H, 20H_Date: 08/24/22
Importance: High

WARNING: This email originated from outside of Coterra Energy. Do not click links or open attachments unless you recognize the sender, are expecting the content and know it is safe.

Riley C. Morris,

The 4 protested NSL applications for the Riverbed 12 13 Federal Com Wells No. (1H, 2H, 19H, 20H), as recognized by the OCD.

The timeline of these applications are as follows, according to what has evolved.

Applications Receive Date: 08/16/22
Applications Protest Date: 08/24/22
30 Day Protested time frame granted Date: 09/24/22

As of today, 09/21/22, you are requesting a 60 day extension to the initially granted 30 days. OCD does not want to have pending applications linger long, if possible. The 60 days extension request will not be approved.

OCD will grant a 45 day extension from the initial 30 day time frame date of 09/24/22. The 45 days granted will end on 11/08/22.

If no resolution is obtained at the end of the 45 days, the OCD will initiate cancelation of the NSL applications. OR the Applicant/Protestant can take the NSL subject matter to Hearing thereafter, if they wish to.

OCD appreciates you being attentive to the time frames placed upon the protested NSL applications.

If you have any questions to these matters, please feel free to reply or call me.

Thank you,

Leonard R. Lowe
Engineering Bureau
OCD - EMNRD
5200 Oakland Ave. NE
Albuquerque, N.M. 87113
C: 505-930-6717
<http://www.emnrd.state.nm.us/ocd/>

From: Riley Morris <Riley.Morris@coterra.com>
Sent: Wednesday, September 21, 2022 4:01 PM
To: Lowe, Leonard, EMNRD <Leonard.Lowe@emnrd.nm.gov>; Deana M. Bennett <deana.bennett@modrall.com>
Cc: jbradfute@marathonoil.com; Wrinkle, Justin, EMNRD <Justin.Wrinkle@emnrd.nm.gov>; Dylan Park <Dylan.Park@coterra.com>; Kaimi Brownlee <Kaimi.Brownlee@coterra.com>
Subject: [EXTERNAL] RE: PROTEST: Cimarex Energy Co. 4 NSL applications, Riverbend Wells No. 1H, 2H, 19H, 20H_Date: 08/24/22

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

All,
We are currently working to resolve the NSL application protest with Marathon Oil Company. Therefore, we request a sixty (60) day extension in order to reach a resolution.

Please let me know if this request has been granted. I will be traveling most of the day tomorrow for an on-site related to a Drill Island, but will be able to check my email in the afternoon.

Thank you,
Riley

Riley C. Morris, RPL
Sr. Landman, Permian Business Unit

From: Lowe, Leonard, EMNRD <Leonard.Lowe@state.nm.us>
Sent: Wednesday, August 24, 2022 11:02 AM
To: Deana M. Bennett <deana.bennett@modrall.com>
Cc: jbradfute@marathonoil.com; Wrinkle, Justin, EMNRD <Justin.Wrinkle@state.nm.us>
Subject: PROTEST: Cimarex Energy Co. 4 NSL applications, Riverbend Wells No. 1H, 2H, 19H, 20H_Date: 08/24/22
Importance: High

EXTERNAL EMAIL: Please do not click any links or open any attachments unless you trust the sender and are expecting this message and know the content is safe.

Ms. Deana M. Bennett

Re: Cimarex Energy Co., NSL Administrative Applications, Protest Date: 08/24/22 for wells
Riverbend 12 13 Federal Com Well No. 1H
Riverbend 12 13 Federal Com Well No. 2H
Riverbend 12 13 Federal Com Well No. 19H
Riverbend 12 13 Federal Com Well No. 20H

The OCD was notified that **Marathon Oil Company** has protested your 4 applications for approval of a Non Standard Location for the above subject wells. This party has been identified as an affected person for their specific locations.

Therefore, you are being notified that if **Cimarex Energy Co.** wishes for this application to be considered, it must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party.

The NSL applications will be retained by OCD, but suspended from further administrative review.

Please contact the OCD once a decision regarding this application is determined within the next 30 days. **If no update is given by the 30 day date, the applications will be cancelled.**

08/24/22, notice date
09/24/22, 30 day concludes

Protestant contact information:

Jennifer Bradfute
Senior Counsel,
Permian & Bakken
Marathon Oil Company
Cell: 505-264-8740
jbradfute@marathonoil.com

Please call/e-mail me with any questions regarding this matter.

Leonard R. Lowe
Engineering Bureau
OCD - EMNRD
5200 Oakland Ave. NE
Albuquerque, N.M. 87113
C: 505-930-6717
<http://www.emnrd.state.nm.us/ocd/>

This message may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply e-mail and delete this message.

This message may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply e-mail and delete this message.

This message may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply e-mail and delete this message.

From: [Bradfute, Jennifer \(MRO\)](#)
To: [Lowe, Leonard, EMNRD](#); [Wrinkle, Justin, EMNRD](#)
Cc: [Deana M. Bennett \(dmb@modrall.com\)](#); [Rice, Chase F. \(MRO\)](#); [STATHEM, Terri \(MRO\)](#)
Subject: [EXTERNAL] NSL Protest to Cimarex's Application re: Riverbend 12-13 Fed. Com 1H, 2H, 19H, and 20H
Date: Wednesday, August 24, 2022 8:00:04 AM
Attachments: [image001.png](#)
[NSL Application - Cimarex Riverbend E2 12-13 T25S R28E.PDF](#)

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Leonard and Justin,

I hope that you are both doing well! Marathon Oil Permian LLC received the attached NSL applications filed by Cimarex for the following wells:

Riverbend 12-13 Fed. Com 1H
Riverbend 12-13 Fed. Com 2H
Riverbend 12-13 Fed. Com 19H
Riverbend 12-13 Fed. Com 20H

These wells appear to be located within the E/2 of Sections 12 and 13, Township 25 South, Range 28 East, NMPM, Eddy County, New Mexico. Marathon objects to these applications and submits this protest. The proposed FTP for Cimarex's wells will encroach upon Marathon's interests and operated spacing unit in the E/2 of Section 1 and drain production from Section 1. This impacts Marathon's correlative rights. Also, it appears that Cimarex's SHL is off-lease and that Cimarex's proposed wells may traverse across Marathon's operated spacing unit. Marathon is concerned that the traversing portions of the laterals for the proposed wellbores may interfere with Marathon's development in Section 1. As a result, Marathon opposes the granting of Cimarex's applications.

Thank you,
Jennifer

Jennifer Bradfute

Senior Counsel,
Permian & Bakken
Marathon Oil Company
Cell: 505-264-8740
jbradfute@marathonoil.com



| | | | |
|---------------------------|----------------------|------------------|-------------------------------|
| RECEIVED: 08/16/22 | REVIEWER: LRL | TYPE: NSL | APP NO: pLEL2223132903 |
|---------------------------|----------------------|------------------|-------------------------------|

ABOVE THIS TABLE FOR OCD DIVISION USE ONLY

CANCELLED 10/24/22

NEW MEXICO OIL CONSERVATION DIVISION
 Geological & Engineering Bureau
 1220 South St. Francis Drive, Santa Fe, NM 87505

**ADMINISTRATIVE APPLICATION CHECKLIST**

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

Applicant: Cimarex Energy Co. **OGRID Number:** 215099
Well Name: Riverbend 12-13 Federal Com 2H **API:** 30-015-49159
Pool: Purple Sage; Wolfcamp (Gas) **Pool Code:** 98220

SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED BELOW

- 1) **TYPE OF APPLICATION:** Check those which apply for [A]
 A. Location – Spacing Unit – Simultaneous Dedication
☒ NSL ☐ NSP (PROJECT AREA) ☐ NSP (PRORATION UNIT) ☐ SD
 B. Check one only for [I] or [II]
 [I] Commingling – Storage – Measurement
☐ DHC ☐ CTB ☐ PLC ☐ PC ☐ OLS ☐ OLM
 [II] Injection – Disposal – Pressure Increase – Enhanced Oil Recovery
☐ WFX ☐ PMX ☐ SWD ☐ IPI ☐ EOR ☐ PPR

2) **NOTIFICATION REQUIRED TO:** Check those which apply.

- A. ☒ Offset operators or lease holders
 B. ☐ Royalty, overriding royalty owners, revenue owners
 C. ☐ Application requires published notice
 D. ☐ Notification and/or concurrent approval by SLO
 E. ☒ Notification and/or concurrent approval by BLM
 F. ☐ Surface owner
 G. ☒ For all of the above, proof of notification or publication is attached, and/or,
 H. ☐ No notice required

FOR OCD ONLY

- ☐ Notice Complete
☐ Application Content Complete

- 3) **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is **accurate** and **complete** to the best of my knowledge. I also understand that **no action** will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

Deana M. Bennett

Print or Type Name

Deana M Bennett

Signature

08/16/2022

Date

505-848-1834

Phone Number

deana.bennett@modrall.com

e-mail Address

CANCELLED 10/24/22

MODRALL SPERLING
L A W Y E R S

August 16, 2022

Deana M. Bennett
505.848.1834
dmb@modrall.com

VIA E-FILING

Director Adrienne Sandoval
And
OCD Engineering Bureau
Oil Conservation Division
New Mexico Department of Energy,
Minerals and Natural Resources
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Re: Application of Cimarex Energy Co. for administrative approval of unorthodox well location for its Riverbend 12-13 Federal Com 2H Well located in the E/2 of Sections 12 and 13, Township 25 South, Range 28 East, NMPM, Eddy County, New Mexico.

Dear Director Sandoval/OCD Engineering Bureau:

Pursuant to Division rules 19.15.16.15(C)(6) and 19.15.15.13 NMAC, Cimarex Energy Co. (OGRID 215099) seeks administrative approval of an unorthodox well location ("NSL") for its Riverbend 12-13 Federal Com 2H well (API No. 30-015-49159) (the "Well"). The Well will be located in a 640-acre, more or less, spacing unit underlying the E/2 of Sections 12 and 13, Township 25 South, Range 28 East, NMPM, Eddy County, New Mexico, and will be in the Purple Sage Wolfcamp Gas Pool (Pool ID: 98220). A C-102 for the Well is attached as Exhibit A.

The Purple Sage Wolfcamp Gas Pool has special pool rules which establish 320-acre building blocks and 330' foot setback requirements. The Well will be in the E/2 of Sections 12 and 13, *i.e.*, 320-acre building blocks, but will have setbacks of 100' for the toe and heel, which requires approval of an NSL. As shown on Exhibit A, this is a horizontal well that will be drilled as follows:

- Surface Hole Location: 1207' from the South line and 2462' from the West line of Section 1 (outside of the horizontal spacing unit);
- First Take Point: 100' from the North line and 1557' from the East line of Section 12;

Modrall Sperling
Roehl Harris & Sisk P.A.

500 Fourth Street NW
Suite 1000
Albuquerque,
New Mexico 87102

PO Box 2168
Albuquerque,
New Mexico 87103-2168

Tel: 505.848.1800
www.modrall.com

- Last Take Point/Bottom Hole Location: 100' from the South line and 995' from the East line of Section 13.

Cimarex has included as Exhibit B a letter explaining why this application is needed. Cimarex also provides a map of the area, attached as Exhibit C, which shows the tracts upon which the unorthodox location will encroach.

As discussed above, the first and last take points for the Well are closer than 330' from the boundary of the spacing unit. Specifically, the first take point would be 100' from the North line of Section 12 and the last take point would be 100' from the South line of Section 13. *See* Exhibit A (C-102). The unorthodox location will encroach towards the SE/4 of Section 1 of Township 25 South, Range 28 East and the NE/4 of Section 24, Township 25 South, Range 28 East. Cimarex has confirmed that the tracts adjoining the spacing unit by a corner are more the 330' away from the unorthodox locations requested.

Pursuant to Rule 19.15.4.12(A)(2) and Rule 19.15.2.7(A)(3), Cimarex is providing notice to the operator of the SE/4 of Section 1 of Township 25 South, Range 28 East (Marathon Oil Permian LLC) and to the operator of the NE/4 of Section 24, Township 25 South, Range 28 East (Mewbourne Oil Co.). Cimarex is also providing notice to the Bureau of Land Management. Proof of mailing, along with a copy of the notice letter sent to affected parties, is attached hereto as Exhibit D.

Your attention to this matter is appreciated.

Sincerely,



Deana M. Bennett

Attorney for Cimarex Energy Co.

Certificate Number:



August 16, 2022

VIA E-FILING

Director Adrienne Sandoval and OCD Engineering Bureau
Oil Conservation Division
Energy, Minerals and Natural Resources Department
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Re: Non-Standard Location Application
Riverbend 12-13 Federal Com 1H;
Riverbend 12-13 Federal Com 2H;
Riverbend 12-13 Federal Com 19H;
Riverbend 12-13 Federal Com 20H;
Eddy County, New Mexico

Dear Director Sandoval/OCD Engineering Bureau

Cimarex Energy Co., OGRID Number 215099, respectfully requests administrative approval of non-standards location ("NSL") for the following wells (the "Wells"):

- Riverbend 12-13 Federal Com 1H, API No. 30-015-49155;
- Riverbend 12-13 Federal Com 2H, API No. 30-015-49159
- Riverbend 12-13 Federal Com 19H, API No. 30-015-49523; and
- Riverbend 12-13 Federal Com 20H, API 30-015-49536.

Cimarex is submitting four separate non-standard location applications, one for each well. The Wells will be completed within the Purple Sage Wolfcamp Gas Pool (Pool ID: 98220). Cimarex is requesting non-standard location approval for the Wells to allow the setbacks to be less than 330' from the northern and southern boundaries of the horizontal spacing unit. Allowing Cimarex to complete the wells at this non-standard location will result in the greatest recovery of reserves from all of the wells and will reduce waste.

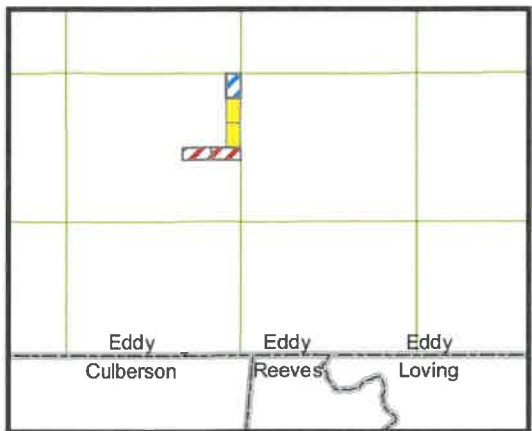
Thank you for your consideration. Should you have any questions please contact me at brett.stewart@coterra.com or (432)571-7889.

Sincerely,

A handwritten signature in blue ink that reads "Brett Stewart".

Brett Stewart
Reservoir Engineer
Cimarex Energy Co.





RIVERBEND 12-13



Cimarex



Marathon



Mewbourne

Eddy County, New Mexico

Township 25 South, Range 28 East, N.M.P.M.
E2, Sections 12 & 13



Cimarex Riverbend 12-13 NSL Notice List

SE/4 of Section 1:
Marathon Oil Permian LLC
990 Town & Country Blvd.
Houston, TX 77024

NE/4 of Section 24:
Mewbourne Oil Co.
P.O. Box 7698
Tyler, TX 75711

Other:
Bureau of Land Management
301 Dinosaur Trail
Santa Fe, NM 87508





MODRALL SPERLING
L A W Y E R S

August 16, 2022

VIA CERTIFIED MAIL

TO AFFECTED PARTIES

Re: Application of Cimarex Energy Co. for administrative approval of unorthodox well location for its Riverbend 12-13 Federal Com 1H Well located in the E/2 of Sections 12 and 13, Township 25 South, Range 28 East, NMPM, Eddy County, New Mexico.

Deana M. Bennett
505.848.1834
dmb@modrall.com

Re: Application of Cimarex Energy Co. for administrative approval of unorthodox well location for its Riverbend 12-13 Federal Com 2H Well located in the E/2 of Sections 12 and 13, Township 25 South, Range 28 East, NMPM, Eddy County, New Mexico.

Re: Application of Cimarex Energy Co. for administrative approval of unorthodox well location for its Riverbend 12-13 Federal Com 19H Well located in the E/2 of Sections 12 and 13, Township 25 South, Range 28 East, NMPM, Eddy County, New Mexico.


Re: Application of Cimarex Energy Co. for administrative approval of unorthodox well location for its Riverbend 12-13 Federal Com 20H Well located in the E/2 of Sections 12 and 13, Township 25 South, Range 28 East, NMPM, Eddy County, New Mexico.

Dear Sir or Madam:

Enclosed are copies of the above referenced applications filed with the New Mexico Conservation Division on this date. Any objections that you have to this application must be filed in writing with the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, within twenty (20) days from the date the Division receives the above referenced applications. If no objection is received within this twenty-day period, the applications may be approved administratively by the Division.

If you have any questions concerning this application, please contact:

Brett Stuart
Cimarex Energy Co.
brett.stewart@coterra.com
432-571-7889

Sincerely,

Deana M. Bennett
Attorney for Cimarex Energy Co.

Modrall Sperling
Roehl Harris & Sisk P.A.
500 Fourth Street NW
Suite 1000
Albuquerque,
New Mexico 87102

PO Box 2168
Albuquerque,
New Mexico 87103-2168

Tel: 505.848.1800
www.modrall.com

Karlene Schuman
Modrall Sperling Roehl Harris & Sisk P.A.
500 Fourth Street, Suite 1000
Albuquerque NM 87102

PS Form 3877

Type of Mailing: CERTIFIED MAIL
08/16/2022

Firm Mailing Book ID: 232097

| Line | USPS Article Number | Name, Street, City, State, Zip | Postage | Service Fee | RR Fee | Rest.Del.Fee | Reference Contents |
|---------|-----------------------------|--|--------------|-------------|--------|--------------|-----------------------|
| 1 | 9314 8699 0430 0098 4265 40 | Marathon Oil Permian LLC 990 Town & Country Blvd. Houston TX 77024 | \$2.88 | \$4.00 | \$2.00 | \$0.00 | 82762.0128. Notice |
| 2 | 9314 8699 0430 0098 4265 57 | Mewbourne Oil Co. P.O. Box 7698 Tyler TX 75711 | \$2.88 | \$4.00 | \$2.00 | \$0.00 | 82762.0128. Notice |
| 3 | 9314 8699 0430 0098 4265 64 | Bureau of Land Management 301 Dinosaur Trail Santa Fe NM 87508 | \$2.88 | \$4.00 | \$2.00 | \$0.00 | 82762.0128. Notice |
| Totals: | | | \$8.64 | \$12.00 | \$6.00 | \$0.00 | |
| | | | Grand Total: | | | | \$26.64 |

List Number of Pieces
Listed by Sender

Total Number of Pieces
Received at Post Office

Postmaster:
Name of receiving employee

Dated: