

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

IN THE MATTER OF THE HEARINGS CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:

APPLICATION OF THE HEIRS OF H.N. SMITH TO
REOPEN CASE NO. 14415, THE APPLICATION OF
CIMAREX ENERGY CO. FOR A NON-STANDARD
OIL SPACING AND PRORATION UNIT AND FOR
COMPULSORY POOLING, CHAVES COUNTY, NEW
MEXICO.

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Case No. 14,415

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CIMAREX ENERGY CO. FOR A NON-STANDARD
OIL SPACING AND PRORATION UNIT AND FOR
COMPULSORY POOLING, CHAVES COUNTY, NEW
MEXICO.

Case No. 14,416

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by Cimarex Energy Co. as required by the Oil Conservation Division.

APPEARANCES

APPLICANT
Heirs of H.N. Smith

APPLICANT'S ATTORNEY
William F. Carr

OPPONENT
Cimarex Energy Co.
Suite 600
600 North Marienfeld
Midland, Texas 79701

OPPONENT'S ATTORNEY
James Bruce
P.O. Box 1056
Santa Fe, New Mexico 87504
(505) 982-2043

Attention: Hayden P. Tresner
(432) 571-7856

Conf To Feb 17/11

STATEMENT OF THE CASE

APPLICANT

Applicant seeks to void the provisions of Order No. R-13287 and R-13221 which pooled their interests into the well units.

OPPONENT

Cimarex Energy Co. asserts that it made a reasonable, good faith effort to locate the heirs of H.N. Smith, and thus the pooling orders are valid as to the heirs of H.N. Smith.

PROPOSED EVIDENCE

APPLICANT

<u>WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
Hayden Tresner (landman)	15 min.	Approx. 5
_____ (contract landman)	15 min.	Approx. 5
_____ (geologist)	15 min.	Approx. 4
_____ (reservoir engineer)	15 min.	Approx. 5

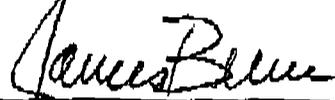
OPPONENT

<u>WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
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PROCEDURAL MATTERS

Applicant requests a two week continuance in this matter, due to the unavailability of its primary (land) witness.

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 27th day of January, 2011 by facsimile transmission:

William F. Carr
Holland & Hart LLP
P.O. Box 2208
Santa Fe, New Mexico 87504
(505) 983-6043


James Bruce