

Examiner Hearing November 1, 2018 Before the Oil Conservation Division

Case No. 16292

Cherry Hills 10-3 Federal Com 1-H



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

APPLICATION OF CIMAREX ENERGY CO. OF COLORADO FOR A NON-STANDARD SPACING AND PRORATION UNIT AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

**CASE NO. 16292** 

### **AFFIDAVIT**

STATE OF TEXAS	)
	) ss.
COUNTY OF MIDLAND	)

Caitlin Pierce, being duly sworn, deposes and states:

- 1. I am over the age of 18, I am a landman for Cimarex Energy Co. of Colorado ("Cimarex"), and have personal knowledge of the matters stated herein. I have been qualified by the Division as an expert petroleum landman.
- 2. Pursuant to NMAC 19.15.4.12.A(1), the following information is submitted in support of the above referenced compulsory pooling application:
  - a. The purpose of this application is to create a non-standard spacing and proration unit and to force pool working interest owners into the horizontal spacing unit described below, and in the well to be drilled in the unit.
  - b. No opposition is expected because the interest owners being pooled have been contacted regarding the proposed well, but have failed or refused to voluntarily commit their interests in the well.



- c. Cimarex seeks an order creating a spacing and proration unit in the Wolfcamp formation comprised of the E/2 of Sections 3 and 10, Township 24 South, Range 26 East, NMPM, Eddy County, New Mexico.
- d. Cimarex also seeks an order pooling all mineral interests in the Wolfcamp formation underlying this spacing and proration unit. The unit will be dedicated to the Cherry Hills 10-3 Federal Com 1H well, which is a horizontal well with a surface location 1136 feet from the South line and 2287 feet from the East line of Section 10 and a bottom hole location 330 feet from the North line and 2260 feet from the East line of Section 3. There are no depth severances within the Wolfcamp formation.
- e. A plat outlining the unit being pooled is attached hereto as **Exhibit A**. This exhibit shows the proposed well's location within the unit. It also identifies the ownership of each separate tract in the proposed unit, the parties being pooled, their last known address, and the nature and percent of their interests.
- f. Attached as **Exhibit B** is a proposed C-102 for the well. The well will develop the Purple Sage Wolfcamp (Gas) Pool (Pool Code 98220).
- g. I have conducted a diligent search of the public records in the county where the well is located, searched phone directors and conducted computer searched to locate contact information for parties entitled to notification.
- h. There were no un-locatable interest owners. We did recently discover that certain working interest owners were not provided a proposal letters. Those interest owners are identified in red on Exhibit A and we are sending proposal letters to them.

- i. **Exhibit C** contains a summary of contact or attempted contacts with the interest owners.
- j. Cimarex has made a good faith effort to obtain voluntary joinder of the work interest owners in the proposed well.
- k. Cimarex has the right to pool the overriding royalty interest owners in the well.
- l. **Exhibits D&** E are an example proposal letter and the Authorization for Expenditure for the proposed well. The estimated cost of the well set forth therein is fair and reasonable, and is comparable to the costs of other wells of similar depths and length drilled in this area of New Mexico.
- m. Cimarex requests overhead and administrative rates of \$7000/month for drilling a well and \$700/month for a producing well. These rates are fair, and comparable to the rates charged by other operators for wells of this type in this area of Southeastern, New Mexico. Cimarex requests that these rates be adjusted periodically as provided in the COPAS Accounting Procedure.
- n. Cimarex requests the maximum cost plus 200% risk charge be assessed against non-consenting working interest owners.
- Cimarex has reached an agreement with Chisholm Energy Holdings, LLC regarding the risk charge and has agreed to cost plus 150% risk charge for Chisholm Energy.
- p. Cimarex requests that it be designated operator of the well.
- q. The offsets have been sent notification of this hearing.
- 3. The attachments to this affidavit were prepared by me, or compiled from company business records.

- 4. I attest that the information provided herein is correct and complete to the best of my knowledge and belief.
- 5. The granting of this application is in the interests of conservation and the prevention of waste.

Caitlin Pierce Caitlin Pierce

SUBSCRIBED AND SWORN to before me this 31 day of October, 2018 by Caitlin Pierce

on behalf of Cimarex Energy Co. of Colorado.

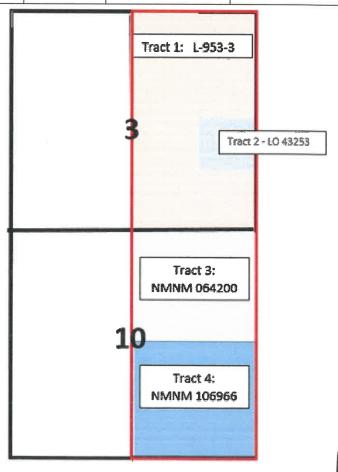
Notary Public

My commission expires:

KAIMI BROWNLEE
Notary Public, State of Texas
Comm. Expires 03-26-2019
Notary ID 126052368

Cherry Hills 3-10
E/2 of Section 3 & E/2 of Section 10, Township 24 South, Range 26 East, Eddy County, New Mexico

Owner	Tract	Net	Working Interest	Force Pool Interest
Magnum Hunter	1, 2, 3, 4	369.6672516	57.825566%	
Legacy Reserves Operating LP	1, 2	134.386548	21.021541%	
Cherokee Minerals LP	1, 2	0.399100	0.062430%	
Sasrana Oil & Gas LLC	1, 2	0.399100	00.062430%	
O'Neill Properties LTD				Proposed – Ownership TBD
Warwick Ares LLC				Proposed – Ownership TBD
Marathon Oil Permian LLC		17.8517248	2.7942474%	
Nearburg Exploration Company LLC	1, 2	31.928000	4.994369%	
McCully-Chapman Exploration, Inc	4	30.000000	4.692780%	
Kansas City Royalty Company, LLC	4	15.000000	2.346390%	
Moon Royalty, LLC	4	15.000000	2.346390%	
AGS Resources 2007 LLLP	4	9.000000	1.407834%	
AGS Oil and Gas Holdings Inc	4	3.000000	0.469278%	
WillisChild Oil & Gas Corp	4	8.000000	1.251408%	
Riverbend Explor. & Production LLC	4	4.6482752	0.727111%	





Cherry Hills WI Owner & Address	Cherry Hills Offsets & Address	Cherry Hills ORRI & Address
Cherokee Minerals LP	Marathon Oil Permian LLC	O'Neill Properties LTD
310 S. Green St.	5555 San Felipe St.	P.O. Box 2840
Longview, Texas 75601-7531	Houston, Texas 77056	Midland, Texas 79702
Legacy Reserves Operating LP	Chisholm Energy Operating LLC	Patricia Ann Kuhler
303 W. Wall, Suite 1400	801 Cherry Street, Suite 1200, Unit 20	6236 Brentwood Drive
Midland, Texas 79701	Fort Worth, Texas 76102	Fort Worth, Texas 76112
Marathon Oil Permian LLC	Murchison Oil & Gas Inc	Roberta LeMore
5555 San Felipe St.	7250 Dallas Pkwy #1400	1225 Bay Line Drive
Houston, Texas 77056	Plano, Texas 75024	Rockwall, Texas 75087-611
Nearburg Exploration Company LLC	Mewbourne Oil Company	Wilma Faye Whitehead
3300 N. A St. #2-120	500 West Texas, Suite 1020	4308 Hurson Ln
Midland, Texas 79705	Midland, Texas 79701	Wichita Falls, Texas 76302
Sasrana Oil & Gas LLC	XTO Energy	Conley Resources
104 S. Missouri Ave., Ste. 200	227777 Springwoods Village Pkwy	P.O. Box 100
Claremore, OK 74017	Spring, Texas 77389	Larkspur, CO 80118-0100
O'Neill Properties LTD	EOG Resources Inc	Lodestone Operating
P.O. Box 2840	3817 NW Expy St.	219 Wright Road
Midland, Texas 79702	Oklahoma City, OK 73112	Ridgeville, SC 29472
Warwick Ares LLC		Donald R & Marty Horton
6608 N. Western Ave. #417		1501 Alta Drive
Oklahoma City, OK 73116		Ft Worth, Texas 76107
		Justin & Sara Nine
		1900 Larkspur Drive
		Golden, CO 80401
		Warwick Ares LLC
		6608 North Western Ave
		Box 417
		Oklahoma City, OK 73116
		Harold F Marshall
		7120 Twin Tree Lane
		Dallas, Texas 75214

Tim D & Tashina A Lilley	4873 Raintree Circle	Parker, CO 80134	Marathon Oil Permian LLC	5555 San Felipe Street	Houston, Texas 77056	Brili LLC	2135 Sedona Hills Parkway	Las Cruces, NM 88011	Escondido Oil & Gas LLC	P.O. Box 51390	Midland, Texas 79710	Chad Barbe	P.O. Box 2017	Roswell, New Mexico 88202	Magnum Hunter Production Inc.	600 N. Marienfeld, Suite 600	Midland, Texas 79705	Doris Jean Barnes 2515	Nealy Midland Texas 79705								
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District 1
1625 N. French Dr., Hobbs, NM 88240
Phone: (575) 393-6161 Fax: (575) 393-0720
District II
811 S. First St., Artesta, NM 88210
Phone: (575) 748-1283 Fax: (575) 748-9720
District III
1000 Rio Brazos Road, Aztec, NM 87410
Phone: (505) 334-6178 Fax: (505) 334-6170
Phone: (505) 334-6178 Fax: (505) 334-6170

1220 S. St. Francis Dr., Santa Fe, NM 87505 Phone: (505) 476-3460 Fax: (505) 476-3462

10

ownship

245

Range

Lot Idn

UL or lot no.

0

# State of New Mexico Energy, Minerals & Natural Resources Department OIL CONSERVATION DIVISION 1220 South St. Francis Dr. Santa Fe, NM 87505

Form C-102 Revised August 1, 2011 Submit one copy to appropriate District Office

☐ AMENDED REPORT

County

EDDY

WELL LOCATION AND ACREAGE DEDICATION PLAT

30-015	<sup>2</sup> Pool Code 98220	Purple Sage Wolfcamp (Gas)			
Property Code		erty Name 10-3 FEDERAL COM	* Well Number		
7 OGRIÐ No. 215099		ator Name ENERGY CO.	* Elevation 3327.9'		

Surface Location

Yorth/South line

Feet from the

2287

East/West line

EAST

1136 SOUTH

Feet from the

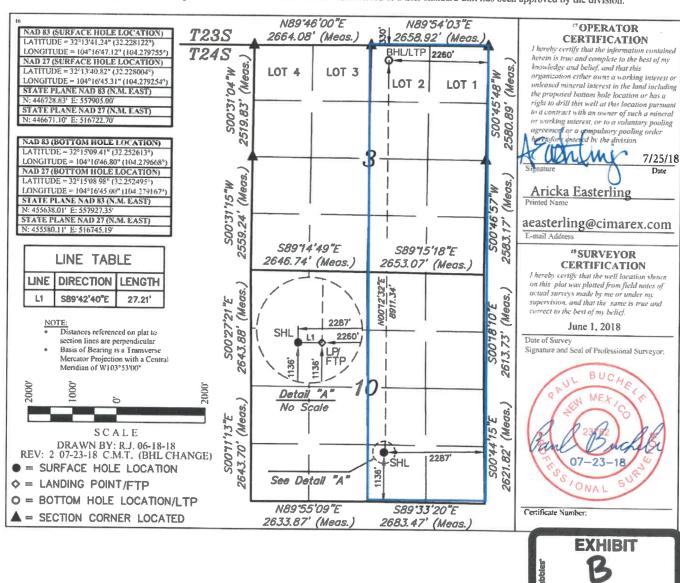
"Bottom Hole Location If Different From Surface														
UL or lot no.	Section 3	Township 24S	Range 26E	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County					

2 3 24S 26E 330 NORTH 2260 EAST EDDY

12 Dedicated Acres 619.28

13 Joint or Infill 14 Consolidation Code 15 Order No.

No allowable will be assigned to this completion until all interests have been consolidated or a non-standard unit has been approved by the division.



### **Summary of Attempted Contacts**

- Cimarex sent well proposal letters on April 4, 2018.
- Cimarex then contacted parties to see if they would participate in the well and/or execute a joint operating agreement.
- Cimarex conducted updated record searches and internet searches for contact information for parties it seeks to pool.
- Cimarex continued to attempt to contact the parties who had not executed an agreement.
- Cimarex filed an application to force pool parties who had not entered in to an agreement.
- Cimarex sent notices of the force pooling application to the addresses of record.
- Cimarex also published notice in a newspaper of general circulation in the county where the well will be located.



Cimarex Energy Co.

600 N. Marlenfeld

Suite 600

Midland, Texas 79701

PHONE: 432,571,7800

FAX: 432.571.7832



April 4, 2018

Cherokee Minerals LP 310 S. Green St. Longview, Texas 75601-7531

Re:

New Well Proposal- Cherry Hills 10-3 Federal Com 1H

Township 24 South, Range 26 East, N.M.P.M.

E/2 of Sections 3 & 10 Eddy County, New Mexico

Dear Working Interest Owner:

Cimarex Energy Co. of Colorado, on behalf of Magnum Hunter Production Inc., a wholly owned subsidiary of Cimarex Energy Co. hereby proposes to drill the Cherry Hills 10-3 Federal Com 1H well at a legal location in the E/2 of Sections 3 & 10, Township 24 South, Range 26 East, Eddy County, New Mexico.

Enclosed, in duplicate, is (i) our detailed AFE reflecting estimated costs associated with this proposal, and; (ii) our proposed form of Operating Agreement to govern operations of the Cherry Hills 10-3 Federal Com 1H. If you intend to participate, please approve and return one (1) original of the enclosed AFE, and one (1) original of the signature page to the Operating Agreement, along with the contact information to receive your well data, to the undersigned within thirty (30) days of receipt of this proposal. If you elect to purchase your own well control insurance, you must provide a certificate of such insurance to Cimarex prior to commencement of drilling operations; otherwise, you will be covered by insurance procured by Cimarex and will be responsible for your share of the cost.

Please contact the undersigned at (432) 571-7862 if you should have any questions or comments.

Respectfully,

Cimarex Energy Co. Caitlin Pierce, Landman



## ELECTION TO PARTICIPATE Cherry Hills 10-3 Federal Com 1H

2004	Cherokee elects <b>TO</b> participate in the proposed Cherry Hills 10-3 Federal Con 1H
	Cherokee elects <b>NOT</b> to participate in the proposed Cherry Hills 10-3 Federal Com 1H
Dated this day of	, 2018.
Signature:	
Γitle:	
f your election above is	TO participate in the proposed Cherry Hills 10-3 Federal Com 1H well, then:
	Cherokee elects <b>TO</b> be covered by well control insurance procured by Cimarex Energy Co.
Annual Control of Cont	Cherokee elects <b>NOT</b> to be covered by well control insurance procured by Cimarex Energy Co. and agrees to provide Cimarex Energy Co. with a certificate of insurance prior to commencement of drilling operations or be deemed to have elected to be covered by well control insurance procured by Cimarex Energy Co.



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VID Lines - Intrangible  25 Soles Lines - Intrangible  151 Intrangible Lost  Disision - Intrangible  152 Soles Lines - Intrangible  153 Soles Lines - Intrangible  154 Intrangible Lost  Disision - Intrangible  155 Soles  156 Soles  157 Soles  158 Soles	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$6.7,000 \$40,000 \$40,000 \$20,000 \$50,000	COM530 COM500	\$4,500 \$0 \$0 \$1,267,000	PCOME 120 PCOME 120 PCOME 400	\$0 \$0 \$0	\$10,986 \$10,986 \$15, \$51, \$298 \$124 \$67, \$48, \$48, \$48,
AND Lines - Intongible as Soles Lines - Intangible as Soles Lines adult Costing as Soles as Soles Lines as Soles Lines adult Costing as Lines adult Costing a	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0,500 \$40,000 \$40,000 \$70,000 \$70,000	COM.520 COM.500 FOM.700	\$4,500	PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400	50 50 50 50	\$10,986 \$10,986 \$15 \$51 \$51 \$524 \$124 \$57 \$45 \$50 \$20
AND Lines - Intengible as Soles Lines - Intengible atal Intengible Lost  Intellige AVGIE Equipment  In	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0,000 \$40,000 \$40,000 \$70,000 \$70,000	COM-520 COM-900 EON-700	\$4,500 \$0 \$1,267,000 \$1,267,000 \$219,000	PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400	50 50 50 50	\$10,986 \$10,986 \$15 \$51 \$298 \$524 \$525 \$50 \$20 \$70
VIO Lines - Introngible  as Soles Lines - Introngible  string  Sie  string  Sie  string  Sie  string  Sie  string  95/8  termediate Casting  95/8  termediate Casting 1  7  termediate Casting 2  termediate Casting 3  1/2  termediate Casting 2  termediate Casting 3  1/2  termediate Casting 6  3-1/2  termediate Casting 6  3-1/2  termediate Casting 6  3-1/2  termediate Casting 6  3-1/2  termediate Casting 6  1-1/2  termediate Casting 6  1-	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0,000 \$67,0,000 \$47,0,000 \$70,000 \$70,000	COM.520 COM.520 COM.520	\$4,500 \$0 \$1 \$1,267,000 \$119,000 \$119,000	PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400	50 50 50 50	\$10,986 \$10,986 \$15, \$51, \$198 \$124 \$67, \$45, \$20, \$20, \$20, \$215,
AND Lines - Introngible as Soles Lines - Intangible astal Intangible Lost  Intring Sic asing Sic	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0,000 \$67,000 \$10,000 \$20,000 \$0,000	COM-520 COM 950 E COM 700 E COM 700 COM-7 800 COM-7 800	\$4,500 \$0 \$1,267,000 \$219,000 \$193,000 \$39,000 \$94,000	PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400	50 50 50 50	\$10,986 \$10,986 \$15 \$51 \$124 \$124 \$52 \$20 \$20 \$20 \$219 \$191 \$192
AND Lines - Intrangible as Soles Lines - Intrangible stal Intangible Lost  Intrinsical Cost  Intrinsic	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0,000 \$67,000 \$40,000 \$0,000 \$10,000	CONT.500 CONT.500 CONT.500 CONT.700 CONT.500 CONT.400 CONT.400 CONT.400 CONT.410 CONT.410 CONT.410	\$4,500 \$0 \$10 \$1,267,000 \$130,000 \$103,000 \$49,000 \$47,000	PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400	50 50 50 50	\$10,996 \$10,996 \$15, \$51, \$51, \$52, \$67, \$45, \$40, \$20, \$20, \$101, \$191,
AND Lines - Intengible as Soles Lines - Intengible astal Intengible Lost  Intidis AVGILE additionals  Intidis AVGILE additionals  Intidis AVGILE additionals  Intendictor Pipe and AvGILE additionals  Intermediate Casing 1  Intermediate Casing 2  Intermediate Casing 4  Interme	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$67,000 \$67,000 \$40,000 \$70,000 \$70,000	CONT-500 CON 500 CON 700 CON 700 CONT-5	\$4,500 \$0 \$1,267,000 \$219,000 \$219,000 \$392,000 \$47,000 \$102,000	PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400	50 50 50 50	\$10,988 \$10,988 \$15 \$251 \$298 \$524 \$57 \$45,1 \$90 \$70 \$219 \$191,1 \$191,2 \$192,5
AND Lines - Introngible as Soles Lines - Introngible atal Intangible Cost  Introductor Pipe area String free Costing free free Costing	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0,000 \$40,000 \$40,000 \$70,000	CONT.500 CONT.500 CONT.500 CONT.700 CONT.500 CONT.400 CONT.400 CONT.400 CONT.410 CONT.410 CONT.410	\$4,500 \$0 \$10 \$1,267,000 \$130,000 \$103,000 \$49,000 \$47,000	PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400	50 50 50 50	\$10,985 \$10,985 \$15, \$293 \$124, \$45, \$45, \$45, \$45, \$45, \$45, \$45, \$4
AND Lines - Intrangible as Soles Lines - Intrangible astal Intangible Lost  Intrangible Lost  Intrangi	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0,000 \$40,000 \$40,000 \$20,000 \$70,000	COM-520 COM-600 E COM-700 COM-600 COM-	\$4,500 \$0 \$1,267,000 \$1,267,000 \$219,000 \$101,000 \$382,000 \$47,000 \$102,000 \$0 \$47,000 \$0 \$47,000 \$50,500	PCONTIAN PCONTIAN PCONTIAN PCONTIAN PCONTIAN PCONTIAN PCONTIAN	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$40,986 \$10,986 \$151,986 \$251 \$251 \$270 \$200 \$200 \$200 \$200 \$200 \$200 \$200
AND Lines - Introngible as Soles Lines - Introngible atal Intangible Cost  Introductor Pipe area String free Costing free free Costing	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0,000 \$67,000 \$40,000 \$70,000 \$70,000	COM-520 COM-520 COM-520 COM-74	\$4,500 \$0 \$1,267,000 \$219,000 \$103,000 \$47,000 \$47,000 \$47,000 \$47,000 \$47,000 \$59,000 \$59,000 \$59,000	PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400 PCOMT 400	50 50 50 50	\$10,988 \$10,988 \$124 \$124 \$124 \$124 \$124 \$124 \$124 \$124
AND Lines - Intengible as Soles Lines - Intengible astal Intengible Lost  Inting Sic asing Sic a	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$0 \$0 \$15,000 \$51,000 \$298,000 \$0 \$0 \$20,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0 \$67,000 \$40,000 \$0,000 \$10,000	CONT.500 CON 500 CON 500 CON 700 CON 7	\$4,500 \$0 \$1,267,000 \$1,267,000 \$219,000 \$102,000 \$47,	PCONTIAN PCONTIAN PCONTIAN PCONTIAN PCONTIAN PCONTIAN PCONTIAN	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$10,986 \$10,986 \$151 \$251 \$298 \$124 \$451 \$300 \$200 \$200 \$215 \$300 \$300 \$300 \$300 \$300 \$300 \$300 \$30
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AND Lines - Intengible as Soles Lines - Intengible astal Intengible Lost  Inting Sic asing Sic a	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$20,000 \$1,000 \$23,000 \$23,000 \$0 \$0 \$0	DWEA 165	\$124,000 \$0 \$25,000 \$90,000	STEAT ALG	\$0,000 \$1,000 \$10,000 \$10,000 \$10,000	COM-520 COM-600 EDM-700 EDM-70	\$4,500 \$0 \$1,267,000 \$1,267,000 \$219,000 \$392,000 \$4,000 \$57,000 \$4,000 \$5,500,000 \$5,50	FORTING FOR	50 50 50 50 50 50	\$10,986 \$10,986 \$151 \$244 \$517 \$451 \$298 \$20 \$20 \$20 \$215 \$410 \$417 \$417 \$417 \$417 \$417 \$417 \$417 \$417
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O Lines - Intengible so Soles Lines - Intengible al Intengible Cost  (ii) CAVVE   Cost   Cost    (iii) CAVVE   Cost   Cost    (iii) CAVVE   Cost   Cost    (iii) CAVVE   Cost   Cost    (iii) Case    (iii) Case   Cost    (iii) Case    (iii) Case    (iii) Case	7 *	1990 9720 11280	\$27.00 \$30.00 \$11.00	DWIG.150 DWEG.130 DWCG.135 DWCG.140 DWCG.140 DWCG.140 DWCG.140 DWCG.140	\$50 \$50 \$15,000 \$51,000 \$298,000 \$0 \$0 \$0 \$20,000 \$50 \$384,000	DWEA 165	\$124,000 \$0 \$25,000 \$90,000 \$90,000 \$23,000	STEAT 420 STEAT 420 STEAT 400 STEAT 400 STEAT 400 STEAT 400	\$0,000 \$1,000 \$10,000 \$10,000 \$10,000	CONT.500 CON 500 CON 500 CON 700 CON 700 CONT.100 CONT.10	\$4,500 \$0 \$1,267,000 \$11,267,000 \$219,000 \$101,000 \$84,000 \$47,000 \$102,000 \$80,500 \$96,000 \$96,000 \$10,288,500 \$10,00	FOOM 120 FOO	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	\$10,986 \$10,986 \$151 \$251 \$298 \$124 \$451 \$300 \$200 \$200 \$215 \$300 \$300 \$300 \$300 \$300 \$300 \$300 \$30



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

APPLICATION OF CIMAREX ENERGY CO. OF COLORADO FOR A NON-STANDARD SPACING AND PRORATION UNIT AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

**CASE NO. 16292** 

### **AFFIDAVIT**

STATE OF TEXAS	)
	) ss
COUNTY OF MIDLAND	)

Jason J. Asmus, being duly sworn, deposes and states:

- 1. I am over the age of 18, and have person knowledge of the matters stated herein.

  I have been qualified by the Division as an expert petroleum geologist.
- 2. I am a geologist for Cimarex Energy Co. of Colorado ("Cimarex"), and I am familiar with the geological matters involved in this case.
- 3. I attended Western Michigan University, where I received a B.S Geosciences in 2010 and a M.S in Geosciences in 2012. I have worked for Cimarex since January 2015. Before working for Cimarex, I was employed by EOG Resources as a staff geologist.
  - 4. The following geological exhibits are attached hereto:
    - a. **Exhibit A** is a structure map of the top of the Wolfcamp or the base of the Bone Spring. The purple line identifies the location of the proposed two-mile well, also identified by the call-out box. The map identifies in blue four wells in the vicinity of the proposed Cherry Hills 10-3 Fed Com 1H well, and a line of cross-section, running from Λ to A' (north to south). The map has 50'



- contour intervals. The map shows that the structure dips to the north . northeast.
- Exhibit B is a Gross Sand Isopach map of the Upper Wolfcamp formation.
   The thickness is uniform across the proposed well unit.
- c. Exhibit C is a Upper Wolfcamp cross section. The well logs on the cross-section give a representative sample of the Upper Wolfcamp formation in the area. The target zone for the well is the Wolfcamp Y Sandstone. The zone is continuous across the well unit.
- 4. I conclude from the maps that:
  - a. The horizontal spacing and proration unit is justified from a geologic standpoint.
  - b. There are no structural impediments or faulting that will interfere with horizontal development.
  - c. Each quarter section in the unit will contribute more or less equally to production.
- 5. There does not appear to be a preferred well orientation in this area. I note from Exhibit B, however, that most of the wells that have been spudded and completed are oriented north to south.

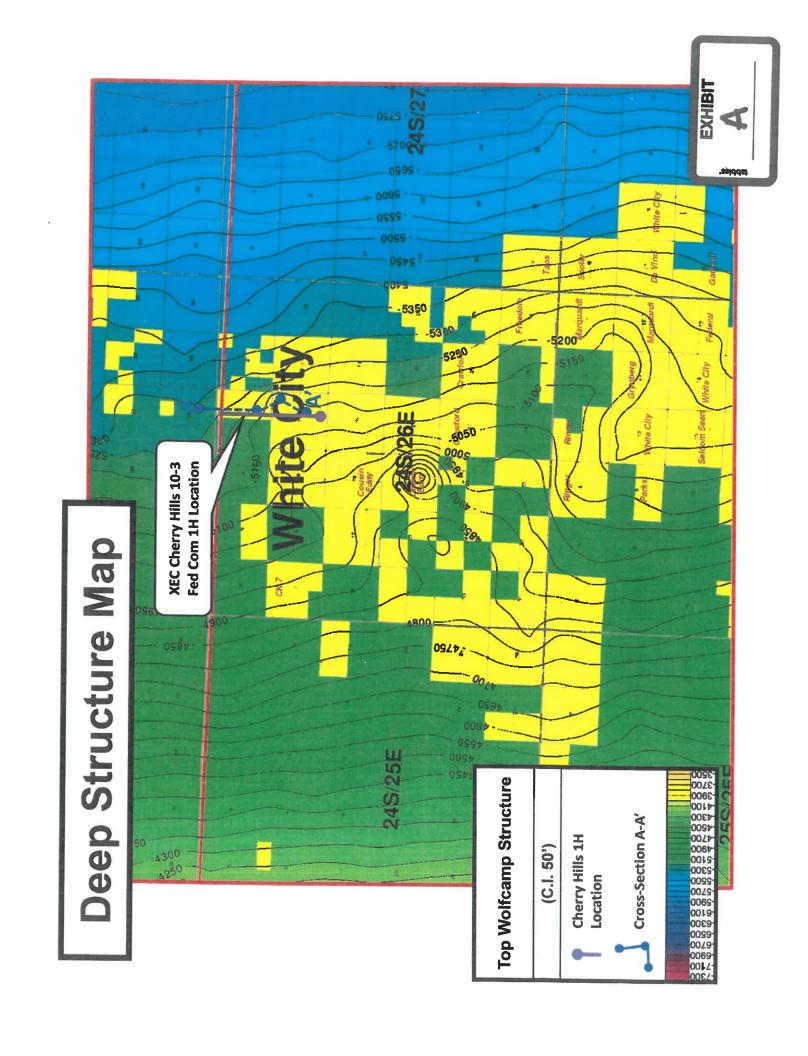
Jason J. Asmus

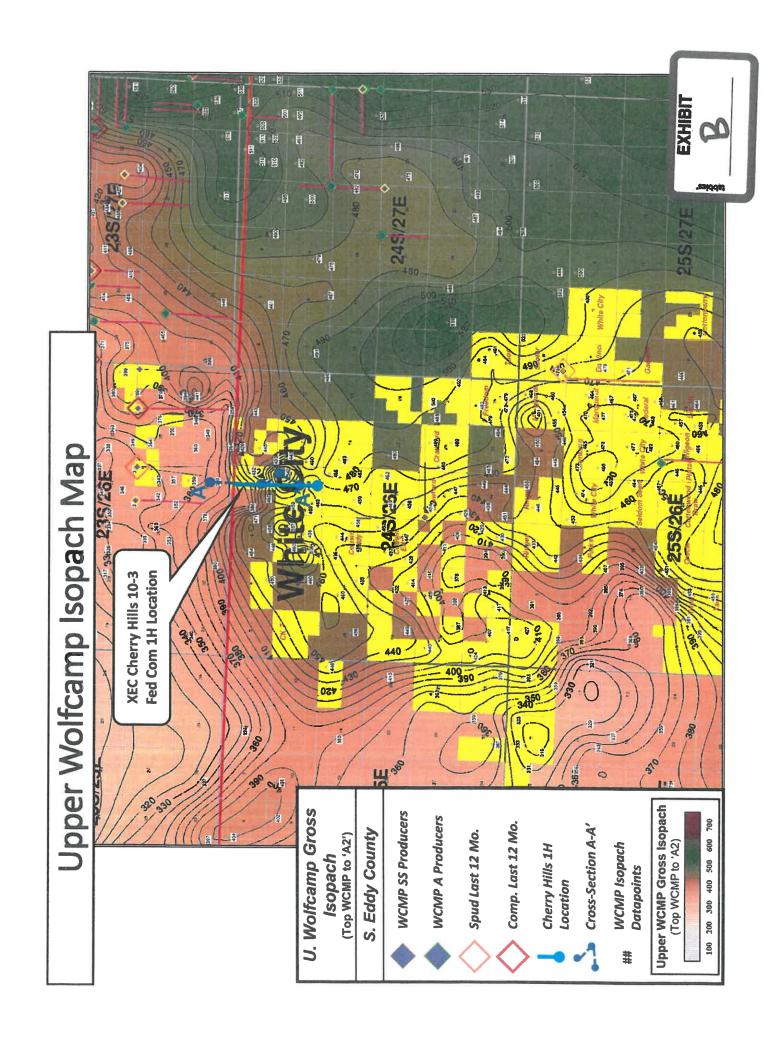
SUBSCRIBED AND SWORN to before me this day of September, 2018 by Jason J. Asmus, on behalf of Cimarex Energy Co. of Colorado.

Notary Public

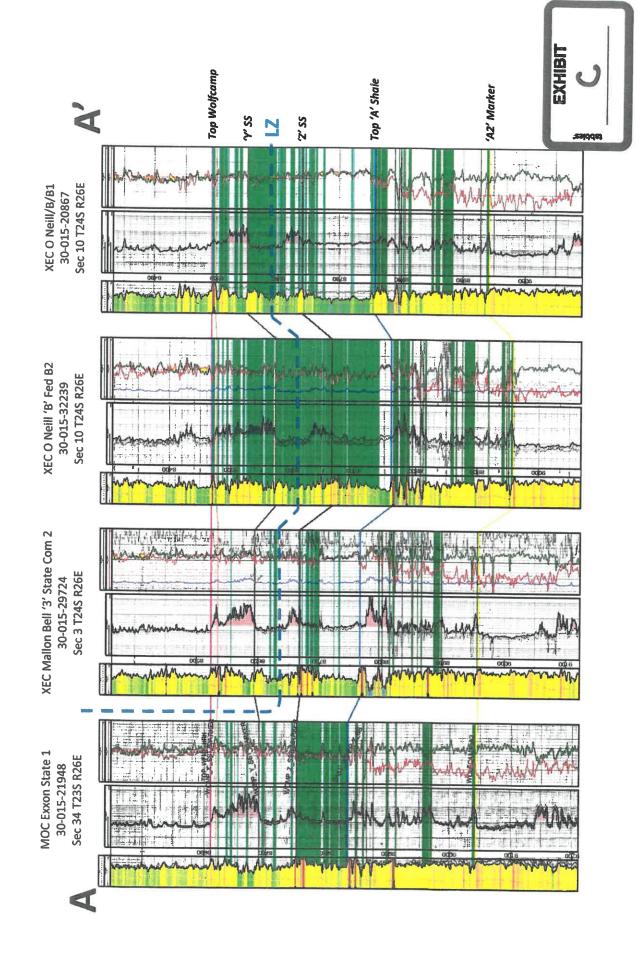
My commission expires: 10-6-21

DAWN R. MCCLUNG
Notary Public, State of Texas
Comm. Expires 10-06-2021
Notary ID 131307664





# Upper Wolfcamp N-S Cross-Section A-A'



# ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

APPLICATION OF CIMAREX ENERGY CO. OF COLORADO FOR A NON-STANDARD SPACING AND PRORATION UNIT AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

**CASE NO. 16292** 

<u>AFFIDAVIT</u>												
STATE OF NEW MEXICO )												
COUNTY OF BERNALILLO ) ss.												
Deana M. Bennett, attorney in fact and authorized representative of Cimarex Energy Co.												
of Colorado, the Applicant herein, being first duly sworn, upon oath, states that the above-												
referenced Application was provided under a notice letter and that proof of receipt is attached												
hereto.  Deana M. Bennett  Deana M. Bennett												
SUBSCRIBED AND SWORN to before me this 31st day of October, 2018 by Deana M.  Bennett.  OFFICIAL BEAL  Karlene Schuman  NOTARY PUBLIC  STATE OF NEW MEXICO  My Commission Expires: 02-27-2021  My commission expires: 20-27-2021												

Karlene Schuman Modrall Sperling Roehl Harris & Sisk P.A. 500 Fourth Street, Suite 1000 Albuquerque NM 87114

**PS Form 3877** 

Type of Mailing: CERTIFIED 09/26/2018





Firm Mailing Book ID: 152200

	Rest.Del.Fee Contents	\$0.00 tice	00.	00.	\$0.00 tice	00:	00:	00.	00.	000	00	00	00	00	00	00
	Rest.Del. Contents	\$0.0 Notice	\$0.00 Notice	\$0.00 Notice	\$0.0 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice
	Reference	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166
}	R.R.Fee	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50
	Fee	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45
	Postage	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21
	Name, Street & P.O. Address	Magnum Hunter Production Inc. 600 N. Marienfeld, Suite 600 Midland TX 79705	7 Chad Barbe P.O. Box 2017 Roswell NM 88205	F. Escondido Oil & Gas LLC P.O. Box 51390 Midland TX 79710		Tim D & Tashina A Lilley 4873 Raintree Circle Parker CO 80134	Harold F Marshall 7120 Twin Tree Lane Dallas TX 75214	Justin & Sara Nine 1900 Larkspur Drive Golden CO 80401	Donald R & Marty Horton 1501 Alta Drive Ft Worth TX 76107	Wilma Faye Whitehead 4308 Hurson Ln Wichita Falls TX 76302		Patricia Ann Kuhler 6236 Brentwood Drive Fort Worth TX 76112	O'Neill Properties LTD P.O. Box 2840 Midland TX 79702	Doris Jean Barnes 2515 Neely Midland TX 79705	Warwick Ares LLC 6608 N Westem Ave #417 Oklahoma City OK 73116	Sasrana Oil & Gas LLC 104 S Missouri Ave., Ste 200 Claremore OK 74017
	Article Number	9314 8699 0430 0051 1694 91	9314 8699 0430 0051 1695 07	9314 8699 0430 0051 1695 14	9314 8699 0430 0051 1695 21	9314 8699 0430 0051 1695 38	9314 8699 0430 0051 1695 45	9314 8699 0430 0051 1695 52	9314 8699 0430 0051 1695 69	9314 8699 0430 0051 1695 76	9314 8699 0430 0051 1695 83	9314 8699 0430 0051 1695 90	9314 8699 0430 0051 1696 06	9314 8699 0430 0051 1696 13	9314 8699 0430 0051 1696 20	9314 8699 0430 0051 1696 37
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Karlene Schuman Modrall Sperling Roehl Harris & Sisk P.A. 500 Fourth Street, Suite 1000 Albuquerque NM 87114

**PS Form 3877** 

Type of Mailing: CERTIFIED 09/26/2018



Firm Mailing Book ID: 152200

	Rest.Del.Fee Contents	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	\$0.00 Notice	80.00	\$160.16
	Reference	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	82762-0166	£ .	Grand Total:
ALO	R.R.Fee	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$39.00	
	Fee	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$3.45	\$89.70	
	Postage	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$1.21	\$31.46	
													Totals:	
	Name, Street & P.O. Address	Nearburg Exploration Company LLC 3300 N A St #2-120 Midland TX 79701	Marathon Oil Permian LLC 5555 San Felipe St. Houston TX 77056	Legacy Reserves Operating LP 303 W Wall, Suite 1400 Midland TX 79701	Cherokee Minerals LP 310 S Green St. Longview TX 75601	Chisholm Energy Operating LLC 801 Cherry Street, Suite 1200, Unit 20 Fort Worth TX 76102	Murchison Oil & Gas Inc. 7250 Dallas Pkwy #1400 Plano TX 75024	Mewbourne Oil Company 500 West Texas, Suite 1020 Midland TX 79701	XTO Energy 227777 Springwoods Village Parkway Spring TX 77389	EOG Resources Inc. 3817 NW Expy St. Oklahoma City OK 73112	Conley Resources P.O. Box 100 Larkspur CO 80118	Lodestone Operating 219 Wright Road Ridgeville SC 29472		
	Article Number	9314 8699 0430 0051 1696 44	9314 8699 0430 0051 1696 51	9314 8699 0430 0051 1696 68	9314 8699 0430 0051 1696 75	9314 8699 0430 0051 1696 82	9314 8699 0430 0051 1696 99	9314 8699 0430 0051 1697 05	9314 8699 0430 0051 1697 12	9314 8699 0430 0051 1697 29	9314 8699 0430 0051 1697 36	9314 8699 0430 0051 1697 43		
	Line	16	17	18	19	20	21	22	23	24	25	26		

Total Number of Pieces	Received at Post Office	97
List Number of Pieces	Listed by Sender	26

Postmaster: Name of receiving employee

Dated:

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Certified Mail Article Number		Address	City	State	Zip	Certified Mailing Status	Service Options	Mail Delivery Da
9314869904300051169743	2018-09-26 8:49 AM Lodestone Operating	219 Wright Road	Ridgeville	SC	29472	To be Returned	Return Receipt - Electronic	
9314869904300051169736	2018-09-26 8:49 AM Conley Resources	P.O. Box 100	Larkspur	8	80118	Delivered	Return Receipt - Electronic	10-13-2018
9314869904300051169729	2018-09-26 8:49 AM EOG Resources Inc.	3817 NW Expy St.	Oklahoma City	ŏ	73112	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169712	2018-09-26 8:49 AM XTO Energy	227777 Springwoods Village Parkway	Spring	¥	77389	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169705	2018-09-26 8:49 AM Mewbourne Oil Company	500 West Texas, Suite 1020	Midland	¥	79701	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169699	2018-09-26 8:49 AM Murchison Oil & Gas Inc.	7250 Dallas Pkwy #1400	Plano	X	75024	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169682	2018-09-26 8:49 AM Chisholm Energy Operating LLC	801 Cherry Street, Suite 1200, Unit 20	Fort Worth	¥	76102	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169675	2018-09-26 8:49 AM Cherokee Minerals LP	310 S Green St.	Longview	Ķ	75601	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169668	2018-09-26 8:49 AM Legacy Reserves Operating LP	303 W Wall, Suite 1400	Midland	¥	79701	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169651	2018-09-26 8:49 AM Marathon Oil Permian LLC	5555 San Felipe St.	Houston	¥	77056	Lost	Return Receipt - Electronic	
9314869904300051169644	2018-09-26 8:49 AM Nearburg Exploration Company LLC	3300 N A St #2-120	Midland	¥	79701	To be Returned	Return Receipt - Electronic	
9314869904300051169637	2018-09-26 8:49 AM Sasrana Oil & Gas LLC	104 S Missouri Ave., Ste 200	Claremore	ŏ	74017	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169620	2018-09-26 8:49 AM Warwick Ares LLC	6608 N Western Ave #417	Oklahoma City	ŏ	73116	Delivered	Return Receipt - Electronic	09-29-2018
9314869904300051169613	2018-09-26 8:49 AM Doris Jean Barnes	2515 Neely	Midland	ĭ	79705	Delivered	Return Receipt - Electronic	10-11-2018
9314869904300051169606	2018-09-26 8:49 AM O'Neill Properties LTD	P.O. Box 2840	Midland	¥	79702	Delivered	Return Receipt - Electronic	10-15-2018
9314869904300051169590	2018-09-26 8:49 AM Patricia Ann Kuhler	6236 Brentwood Drive	Fort Worth	¥	76112	To be Returned	Return Receipt - Electronic	
9314869904300051169583	2018-09-26 8:49 AM Roberta LeMore	1225 Bay Line Drive	Rockwall	¥	75087	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169576	2018-09-26 8:49 AM Wilma Faye Whitehead	4308 Hurson Ln	Wichita Falls	ĭ	76302	Delivered	Return Receipt - Electronic	09-29-2018
9314869904300051169569	2018-09-26 8:49 AM Donald R & Marty Horton	1501 Alta Drive	Ft Worth	¥	76107	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169552	2018-09-26 8:49 AM Justin & Sara Nine	1900 Larkspur Drive	Golden	8	80401	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169545	2018-09-26 8:49 AM Harold F Marshall	7120 Twin Tree Lane	Dallas	ĭ	75214	Delivered	Return Receipt - Electronic	09-29-2018
9314869904300051169538	2018-09-26 8:49 AM Tim D & Tashina A Lilley	4873 Raintree Circle	Parker	8	80134	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169521	2018-09-26 8:49 AM Brili LLC	2135 Sedona Hills Parkway	Las Cruces	ΣN	88011	Delivered	Return Receipt - Electronic	10-15-2018
9314869904300051169514	2018-09-26 8:49 AM Escondido Oil & Gas LLC	P.O. Box 51390	Midland	ĭ	79710	Delivered	Return Receipt - Electronic	10-01-2018
9314869904300051169507	2018-09-26 8:49 AM Chad Barbe	P.O. Box 2017	Roswell	MN	88205	Delivered	Return Receipt - Electronic	10-05-2018
9314869904300051169491	2018-09-26 8:49 AM Magnum Hunter Production Inc.	600 N. Marienfeld, Suite 600	Midland	¥	79705	Delivered	Return Receipt - Electronic	10-09-2018

Recipient:

Lodestone Operating 219 Wright Road Ridgeville, SC 29472

Sender:

Karlene Schuman

Modrall Sperling Roehl Harris & Sisk P.A. 500 Fourth Street, Suite 1000

Albuquerque, NM 87114

Transaction created by: Karlenes

User ID: 20660

Firm Mailing Book ID: 152200

Batch ID: 146005

Certified Mail Article Number: Return Receipt Article Number: 9314869904300051169743

Service Options:

Return Receipt - Electronic Certified

Mail Service: Reference #:

82762-0166

Reference #: Postage: Fees:

\$1.21 \$4.95

Status: Custom Field 1: To be Returned

Custom Field 2: Custom Field 3: 82762-0166 82762-0166

82762-0166

### **Transaction History**

Event Description	Event Date	Details
Mailbook Generated	09-26-2018 09:11 AM	[WALZ] - Firm Mailing Book 152200 generated by Karlenes
USPS® Certified Mail	09-26-2018 01:06 PM	[USPS] - PRESHIPMENT INFO SENT USPS AWAITS ITEM at TEMECULA, CA
USPS® Certified Mail	09-26-2018 09:18 PM	[USPS] - PROCESSED THROUGH USPS FACILITY at ALBUQUERQUE,NM
USPS® Certified Mail	09-26-2018 10:43 PM	[USPS] - PROCESSED THROUGH USPS FACILITY at ALBUQUERQUE,NM
USPS® Certified Mail	09-26-2018 11:13 PM	[USPS] - PROCESSED THROUGH USPS FACILITY at ALBUQUERQUE, NM
USPS® Certified Mail	09-27-2018 03:02 AM	[USPS] - DEPART USPS FACILITY at ALBUQUERQUE,NM
USPS® Certified Mail	09-28-2018 04:30 PM	[USPS] - PROCESSED THROUGH USPS FACILITY at CHARLESTON, SC
USPS® Certified Mail	09-29-2018 08:54 AM	[USPS] - ARRIVAL AT UNIT at RIDGEVILLE,SC
USPS® Certified Mail	09-29-2018 09:15 AM	[USPS] - SORTINGPROCESSING COMPLETE at RIDGEVILLE,SC
USPS® Certified Mail	09-29-2018 09:25 AM	[USPS] - OUT FOR DELIVERY at RIDGEVILLE, SC
USPS® Certified Mail	09-29-2018 12:33 PM	[USPS] - NO AUTHORIZED RECIPIENT AVAILABLE at RIDGEVILLE, SC
USPS® Certified Mail	10-04-2018 04:40 AM	[USPS] - REMINDER TO SCHEDULE REDELIVERY at RIDGEVILLE, SC
USPS® Certified Mail	10-11-2018 11:26 AM	[USPS] - REFUSED at RIDGEVILLE,SC
USPS® Certified Mail	10-30-2018 03:33 PM	[USPS] - PROCESSED THROUGH USPS FACILITY at GREENSBORO,NC
USPS® Certified Mail	10-31-2018 03:45 AM	[USPS] - DEPART USPS FACILITY at GREENSBORO,NC

Recipient:

Marathon Oil Permian LLC 5555 San Felipe St. Houston, TX 77056

Sender:

Karlene Schuman

Modrall Sperling Roehl Harris & Sisk P.A. 500 Fourth Street, Suite 1000

Albuquerque, NM 87114

Transaction created by: Karlenes

User ID: 20660

Firm Mailing Book ID: 152200

Batch ID: 146005

Certified Mail Article Number: Return Receipt Article Number: 9314869904300051169651

Service Options:

Mail Service: Reference #:

Return Receipt - Electronic

Certified 82762-0166 \$1.21

Postage: Fees: \$4.95 Status: Lost

Custom Field 1: Custom Field 2: Custom Field 3: 82762-0166 82762-0166 82762-0166

### **Transaction History**

### **Event Description** Mailbook Generated USPS® Certified Mail

USPS® Certified Mail USPS® Certified Mail USPS® Certified Mail

### **Event Date**

09-26-2018 09:11 AM 09-26-2018 01:07 PM 09-26-2018 09:18 PM 09-27-2018 03:02 AM 09-28-2018 03:10 PM

### **Details**

[WALZ] - Firm Mailing Book 152200 generated by Karlenes

[USPS] - PRESHIPMENT INFO SENT USPS AWAITS ITEM at TEMECULA, CA

[USPS] - PROCESSED THROUGH USPS FACILITY at ALBUQUERQUE, NM

[USPS] - DEPART USPS FACILITY at ALBUQUERQUE, NM

[USPS] - PROCESSED THROUGH USPS FACILITY at NORTH HOUSTON, TX

Recipient:

Nearburg Exploration Company LLC 3300 N A St #2-120 Midland, TX 79701

Sender:

Karlene Schuman Modrall Sperling Roehl Harris & Sisk P.A. 500 Fourth Street, Suite 1000 Albuquerque, NM 87114

Transaction created by: Karlenes

User ID: 20660

Firm Mailing Book ID: 152200

Batch ID: 146005

Certified Mail Article Number: Return Receipt Article Number: 9314869904300051169644

Service Options:

Return Receipt - Electronic

Mail Service:
Reference #:
Postage:
Fees:

Status: Custom Field 1: Custom Field 2: Custom Field 3: To be Returned 82762-0166 82762-0166

Certified

\$1.21

\$4.95

82762-0166

82762-0166

### **Transaction History**

Event Description	Event Date	Details
Mailbook Generated	09-26-2018 09:11 AM	[WALZ] - Firm Mailing Book 152200 generated by Karlenes
USPS® Certified Mail	09-26-2018 01:06 PM	[USPS] - PRESHIPMENT INFO SENT USPS AWAITS ITEM at TEMECULA, CA
USPS® Certified Mail	09-26-2018 09:18 PM	[USPS] - PROCESSED THROUGH USPS FACILITY at ALBUQUERQUE, NM
USPS® Certified Mail	09-27-2018 03:02 AM	[USPS] - DEPART USPS FACILITY at ALBUQUERQUE,NM
USPS® Certified Mail	09-28-2018 08:41 PM	[USPS] - PROCESSED THROUGH USPS FACILITY at MIDLAND, TX
USPS® Certified Mail	09-29-2018 03:39 AM	[USPS] - PROCESSED THROUGH USPS FACILITY at MIDLAND, TX
USPS® Certified Mail	09-29-2018 06:26 AM	[USPS] - DEPART USPS FACILITY at MIDLAND,TX
USPS® Certified Mail	10-01-2018 06:22 AM	[USPS] - ARRIVAL AT UNIT at MIDLAND,TX
USPS® Certified Mail	10-01-2018 09:14 AM	[USPS] - UNABLE TO DELIVER PROBLEM WITH ADDRESS at MIDLAND, TX
USPS® Certified Mail	10-01-2018 12:59 PM	[USPS] - VACANT at MIDLAND,TX
USPS® Certified Mail	10-03-2018 12:34 PM	[USPS] - PROCESSED THROUGH USPS FACILITY at OKLAHOMA CITY, OK
USPS® Certified Mail	10-03-2018 09:09 PM	[USPS] - DEPART USPS FACILITY at OKLAHOMA CITY,OK
USPS® Certified Mail	10-08-2018 09:41 AM	[USPS] - PROCESSED THROUGH USPS FACILITY at FORT WORTH, TX
USPS® Certified Mail	10-13-2018 05:58 AM	[USPS] - ARRIVAL AT UNIT at ALBUQUERQUE,NM
USPS® Certified Mail	10-13-2018 10:21 AM	[USPS] - BUSINESS CLOSED at ALBUQUERQUE,NM

Recipient:

Patricia Ann Kuhler 6236 Brentwood Drive Fort Worth, TX 76112

Sender:

Karlene Schuman Modrall Sperling Roehl Harris & Sisk P.A. 500 Fourth Street, Suite 1000 Albuquerque, NM 87114

Transaction created by: Karlenes

User ID: 20660

Firm Mailing Book ID: 152200

Batch ID: 146005

Certified Mail Article Number:

9314869904300051169590

Return Receipt Article Number:

Service Options: Return Receipt - Electronic
Mail Service: Certified

 Reference #:
 82762-0166

 Postage:
 \$1.21

 Fees:
 \$4.95

 Status:
 To be Returned

 Custom Field 1:
 82762-0166

 Custom Field 2:
 82762-0166

 Custom Field 3:
 82762-0166

### **Transaction History**

Event Description	Event Date
Vailbook Generated	09-26-2018 09:11 AM
JSPS® Certified Mail	09-26-2018 01:06 PM
JSPS® Certified Mail	09-26-2018 09:18 PM
JSPS® Certified Mail	09-27-2018 03:02 AM
JSPS® Certified Mail	09-28-2018 09:30 AM
JSPS® Certified Mail	09-28-2018 09:41 PM
JSPS® Certified Mail	09-28-2018 10:20 PM
JSPS® Certified Mail	09-29-2018 08:29 AM
JSPS® Certified Mail	09-29-2018 03:11 PM
JSPS® Certified Mail	10-04-2018 03:44 AM
JSPS® Certified Mail	10-14-2018 04:10 AM
JSPS® Certified Mail	10-17-2018 12:13 PM
JSPS® Certified Mail	10-17-2018 11:34 PM
JSPS® Certified Mail	10-18-2018 07:55 AM
JSPS® Certified Mail	10-18-2018 09:51 PM
JSPS® Certified Mail	10-18-2018 09:58 PM
JSPS® Certified Mail	10-23-2018 04:18 PM
JSPS® Certified Mail	10-24-2018 01:13 PM
JSPS® Certified Mail	10-24-2018 09:14 PM
JSPS® Certified Mail	10-30-2018 03:54 PM
JSPS® Certified Mail	10-31-2018 10:30 AM

### Details

[WALZ] - Firm Mailing Book 152200 generated by Karlenes

[USPS] - PRESHIPMENT INFO SENT USPS AWAITS ITEM at TEMECULA, CA

[USPS] - PROCESSED THROUGH USPS FACILITY at ALBUQUERQUE, NM

[USPS] - DEPART USPS FACILITY at ALBUQUERQUE, NM

[USPS] - PROCESSED THROUGH USPS FACILITY at FORT WORTH, TX

[USPS] - DEPART USPS FACILITY at FORT WORTH, TX

[USPS] - PROCESSED THROUGH USPS FACILITY at FORT WORTH, TX

[USPS] - ARRIVAL AT UNIT at FORT WORTH, TX

[USPS] - NO AUTHORIZED RECIPIENT AVAILABLE at FORT WORTH, TX

[USPS] - REMINDER TO SCHEDULE REDELIVERY at FORT WORTH, TX

[USPS] - PACKAGE RETURN NOTICE GENERATED at FORT WORTH, TX

[USPS] - UNCLAIMEDBEING RETURNED TO SENDER at FORT WORTH, TX

[USPS] - PROCESSED THROUGH USPS FACILITY at COPPELL, TX

[USPS] - PROCESSED THROUGH USPS FACILITY at FORT WORTH, TX

[USPS] - PROCESSED THROUGH USPS FACILITY at FORT WORTH, TX

[USPS] - PROCESSED THROUGH USPS FACILITY at FORT WORTH, TX

[USPS] - PROCESSED THROUGH USPS FACILITY at COPPELL,TX

[USPS] - PROCESSED THROUGH USPS FACILITY at FORT WORTH, TX

[USPS] - PROCESSED THROUGH USPS FACILITY at FORT WORTH, TX

[USPS] - PROCESSED THROUGH USPS FACILITY at COPPELL,TX

[USPS] - PROCESSED THROUGH USPS FACILITY at FORT WORTH, TX

# **CÜRRENT-ARGUS**

### AFFIDAVIT OF PUBLICATION

Ad No. 0001264005

MODRALL SPERLING PO BOX 2168

ALBUQUERQUE NM 87103

I, a legal clerk of the Carlsbad Current-Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

10/04/18

Legal Clerk

Subscribed and sworn before me this 4th of October 2018.

State of WI, County of Brown NOTARY PUBLIC

My Commission Expires

Ad#:0001264005 P O : Case No. 16292 # of Affidavits :0.00

CASE No. 16292: Notice to all affected parties, as well as the heirs and devisees of Chisholm Energy Operating LLC Chisholm Murchison Oil & Gas Inc. Mewbourne Company; XTO Energy EOG Resources Inc.; Legacy Reserves Operating LP; Sasrana Oil Gas LLC; O'Neill Properties; Marathon Oil Permian LLC; Warwick Ares LLC; Cherokee Minerals LP; Nearburg Exploration Company LLC; Doris Jean Barnes O'Neill Properties LTD: Patricia Ann Kuhler Roberta LeMore; Wilma Faye Whitehead; Conley Resources: Lodestone Operating; Donald R & Marty Horton; Justin & Sara Nine; Harold F Marshall; Tim D & Tashina Á Lilley; Brili LLC Escondido Oil & Gas LLC Chad Barbe; Magnum Hunter Production Inc. Cimarex Energy Co. of Colorado's application for non-standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico. The State of New Mexico, through its Oil Conservation Division, hereby gives notice that the Division will conduct a public hearing at 8:15 a.m. October 18, 2018, to consider this application. Applicant seeks an order from the Division: (1) creating a non-standard 640-acre, more or less. spacing and proration unit the Wolfcamp formation, comprised of the E/2 of Sections 3 and 10, Township 24 South, Range 26 East, NMPM, Eddy County, New Mexico; and, (2) pooling all mineral interests in the Wolfcamp formation underlying this proposed spacing and unit. This proration proposed spacing and proration unit will be the unit for the Cherry Hills 10-3 Federal Com 1H well, to be horizontally drilled. The producing area for this well will be orthodox. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual



operating costs and charges for supervision, designation of Cimarex as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 12 miles southwest of Loving, New Mexico.

October 4, 2018

October 4, 2018