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

**APPLICATION OF CIMAREX
ENERGY CO FOR A NON-STANDARD
OIL SPACING AND PRORATION UNIT,
AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

CASE NO 15585

AMENDED PRE-HEARING STATEMENT

Black Mountain Operating LLC, (Black Mountain), provisionally provides this Amended Pre Hearing Statement as required by the rules of the Division

APPEARANCES

**OPPONENT BLACK MOUNTAIN
OPERATING LLC**

**BLACK MOUNTAIN OPERATING LLC S
ATTORNEY**
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APPLICANT
CIMAREX ENERGY CO

APPLICANT'S ATTORNEY
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STATEMENT OF THE CASE

Applicant Cimarex Energy Company seeks an order creating a non-standard 320-acre, more or less, oil spacing and proration unit in the Bone Spring formation, comprised of the E/2

W/2 of Sections 5 and 8 Township 22 South, Range 34 East, NMPM, Lea County, New Mexico, and pooling all mineral interests in the Bone Spring formation underlying this proposed non standard spacing and proration unit

Black Mountain is the owner of certain leasehold working interests within the non standard spacing and proration unit proposed by Cimarex Black Mountain opposes Cimarex s application for the following reason (1) Black Mountain owns and controls one hundred percent of the N/2 of Section 8, T22S, R34E Its acreage is the subject of a pre existing voluntary agreement for development and is consequently unavailable to be force-pooled (2) Black Mountain plans to develop its own acreage by the designating and drilling laydown spacing and proration units comprised of the N/2 N/2 and the S/2 N/2 of Section 8 Cimarex’s well proposal is in conflict with Black Mountain s drilling and development plans Black Mountain will seek the dismissal of the Cimarex’s Application

PROPOSED EVIDENCE

<u>OPPONENT</u>	BLACK MOUNTAIN OPERATING LLC	<u>EST TIME</u>	<u>EXHIBITS</u>
<u>WITNESSES</u>			
	Luke Mildren, Land Manager	15 Min	4
	Dr Michael McCracken – COO (Reservoir Engineer)	15 Min	1
<u>APPLICANT</u>	CIMAREX ENERGY CO	<u>EST TIME</u>	<u>EXHIBITS</u>
<u>WITNESSES</u>			

PROCEDURAL MATTERS

None

Respectfully submitted

MONTGOMERY & ANDREWS P A

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Attorneys for Black Mountain Operating LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following counsel of record by electronic mail on November 15, 2016

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