

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

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

**APPLICATION OF CIMAREX ENERGY CO. FOR
COMPULSORY POOLING AND CANCELATION
OF THE DIVISION'S APPROVAL OF AN APPLICATION
FOR PERMIT TO DRILL ISSUED TO COG OPERATING
LLC, EDDY COUNTY, NEW MEXICO.**

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Case No. 14,426

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by applicant as required by the Oil Conservation Division.

APPEARANCES

APPLICANT

Cimarex Energy Co.
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600 North Marienfeld
Midland, Texas 79701

Attention: Hayden Tresner
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APPLICANT'S ATTORNEY

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OPPONENT

J. Scott Hall

OPPONENT'S ATTORNEY

COG Operating LLC

STATEMENT OF THE CASE

APPLICANT

Applicant seeks an order pooling all mineral interests from the surface to the base of the Glorieta-Yeso formation underlying the SE/4SW/4 of Section 2, Township 17 South, Range 30 East, NMPM, to form a standard 40-acre oil spacing and proration unit for any and all formations or pools developed on 40-acre spacing within that vertical extent, including the Undesignated Loco Hills Glorieta-Yeso Pool. The unit will be dedicated to the Castor 2 State Well No. 2, to be drilled at an orthodox location. Also to be considered will be the cost of drilling and completing

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, 2010 by United States Mail:

J. Scott Hall
Montgomery & Andrews, P.A.
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James Bruce