

**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:**

**CASE NO. 14685
ORDER NO. R-13431-A**

**APPLICATION OF CIMAREX ENERGY CO. FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for consideration on the Motion of COG Operating, LLC ("COG") to Re-Open Case Nos. 14682, 14683, 14684 and 14685, before Examiner David K. Brooks.

NOW, on this 5th day of August, 2011, the Division Director, having considered the testimony, the record and the recommendations of the Examiner,

FINDS THAT:

- (1) Due notice has been given, and the Division has jurisdiction of the subject matter of this case.
- (2) This case was heard before a Division hearing examiner on July 7, 2011. COG neither appeared at the hearing nor filed an entry of appearance or other paper in the case.
- (3) On July 19, 2011, the Division issued Order No. R-13431, granting the application.
- (4) On July 25, 2011, COG filed its motion to re-open this case.
- (5) COG does not contend that it did not receive notice of this application or of the hearing on July 7. Instead, it asserts that it "intended to oppose the applications but by inadvertent mistake failed to do so."

(6) The Division concludes that this motion does not present sufficient grounds to re-open a case that has been decided by final order.

IT IS THEREFORE ORDERED THAT:

(1) COG's Motion to Re-Open is hereby denied.

(2) Jurisdiction of this case is retained for the entry of such further orders as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

JAMI BAILEY
Director

SEAL