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2011 OCT 19 P 3: 59

October 19, 2011

Ms. Florene Davidson
NM Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

Hand Delivered

**Re: NMOCD Case No. 14752: Application of Cimarex Energy Company of
Colorado for Approval of a Water Disposal Well, Eddy County, New Mexico**

Dear Ms. Davidson:

On behalf of COG Operating LLC and Nearburg Producing Company LLC,
enclosed for filing is an original and one copy of their Pre-Hearing Statement in the
above case.

Very truly yours,

Karen Williams
Assistant to J. Scott Hall

JSH:kw
Enclosures

cc: James Bruce, Esq.

320530

REPLY TO:

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

RECEIVED OOD

**APPLICATION OF CIMAREX ENERGY
COMPANY OF COLORADO FOR APPROVAL OF
A WATER DISPOSAL WELL, EDDY COUNTY,
NEW MEXICO**

2011 OCT 19 P 3:59

CASE NO. 14752

PRE-HEARING STATEMENT

This Pre-Hearing Statement is submitted by COG Operating LLC and Nearburg
Producing Company LLC, as required by the Oil Conservation Division.

APPEARANCES

APPLICANT

Cimarex Energy Company of Colorado

APPLICANT'S ATTORNEY

James Bruce, Esq.
P. O. Box 1056
Santa Fe, NM 87504
(505) 982-2043

OPPOSING PARTY

COG Operating LLC
550 W. Texas Ave.
Suite 1300
Midland, TX 79701

OPPOSING PARTY'S ATTORNEY

J. Scott Hall
Montgomery & Andrews
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(505) 982-3873

OPPOSING PARTY

Nearburg Producing Company LLC
3300 North "A" Street
Building 2, Suite 120
Midland, TX 79705

OPPOSING PARTY'S ATTORNEY

J. Scott Hall
Montgomery & Andrews
P.O. Box 2307
Santa Fe, NM 87504-2307
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STATEMENT OF THE CASE

Applicant seeks an order approving water disposal into the Pennsylvanian Canyon near the Four Mile Draw-Morrow Pool at depth of 7780-8010 feet subsurface in the Dorchester Exploration, Inc., Secrest et al Well No. 1, located 660 feet from the North line and 1980 feet from the East line of Section 7, Township 19 South, Range 26 East, NMPM.

COG OPERATING LLC

COG Operating LLC is the owner of leasehold working interests in the vicinity of the proposed injection well and has plans to drill in the vicinity in the immediate future. COG is concerned that the proposed injection operations will interfere with its drilling and development operations and adversely affect its correlative rights and cause waste.

NEARBURG PRODUCING LLC

Nearburg Producing Company also owns working interests in the vicinity of the proposed injection well and is similarly concerned that injection operations will adversely affect its correlative rights and cause waste.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EXHIBITS

OPPOSING PARTY (COG)

WITNESSES

EST. TIME

EXHIBITS

Stuart Dirks, Landman (Concho)

20 minutes

3

Ramon Reyes, Geologist (Concho)

20 minutes

3

T.J. Midkiff, Petroleum Engineer (Concho)

20 minutes

4

Nearburg does not plan on presenting witnesses at this time.

PROCEDURAL MATTERS

None.

Respectfully submitted,

MONTGOMERY & ANDREWS, P. A.

By: J. Scott Hall

J. Scott Hall

P.O. Box 2307

Santa Fe, NM 87504-2307

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(505) 982-4289 – Fax

Attorneys for COG Operating LLC

and

Nearburg Producing Company

Certificate of Service

I hereby certify that on October 19, 2011, a true and correct copy of the foregoing was sent via electronic mail to the following party:

James Bruce, Esq.
P. O. Box 1056
Santa Fe, NM 87504
jamesbruc@aol.com

J. Scott Hall
J. Scott Hall