

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

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

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

**Case No. 14698 (Reopened)**

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

**Case No. 14703 (Reopened)**

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

**Case No. 14704 (Reopened)**

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

**Case No. 14705 (Reopened)**

**PRE-HEARING STATEMENT**

This consolidated pre-hearing statement is submitted by Cimarex Energy Co. as required by the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Cimarex Energy Co.  
Suite 600  
600 North Marienfeld  
Midland, Texas 79701

Attention: Hilary Coder  
(432) 571-7856

**APPLICANT'S ATTORNEY**

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

**OTHER PARTIES**

COG Operating LLC  
Concho Oil & Gas LLC

**OTHER PARTIES' ATTORNEYS**

Michael Feldewert and Adam Rankin

Yates Petroleum Corporation  
Abo Petroleum Corporation  
Myco Industries, Inc.

William F. Carr

OXY Y-1 Company

J. Scott Hall

## STATEMENT OF THE CASE

### APPLICANT

Case 14698: Applicant seeks an order pooling all mineral interests from the surface to the base of the Glorieta-Yeso formation underlying the SE/4SE/4 of Section 6, Township 19 South, Range 26 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. The unit will be dedicated to the Kansas 6 Fee Well No. 1, to be drilled at an orthodox location. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well.

Case 14703: Applicant seeks an order pooling all mineral interests from the surface to the base of the Glorieta-Yeso formation underlying the NW/4SE/4 of Section 6, Township 19 South, Range 26 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. The unit will be dedicated to the Colorado 6 Fee Well No. 1, to be drilled at an orthodox location. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well.

Case 14704: Applicant seeks an order pooling all mineral interests from the surface to the base of the Glorieta-Yeso formation underlying the NE/4SE/4 of Section 6, Township 19 South, Range 26 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. The unit will be dedicated to the Colorado 6 Fee Well No. 2, to be drilled at an orthodox location. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well.

Case 14705: Applicant seeks an order pooling all mineral interests from the surface to the base of the Glorieta-Yeso formation underlying the SW/4SE/4 of Section 6, Township 19 South, Range 26 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. The unit will be dedicated to the Colorado 6 Fee Well No. 5, to be drilled at an orthodox location. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well.

OTHER PARTIES**PROPOSED EVIDENCE**APPLICANTWITNESSESEST. TIMEEXHIBIT

Applicant does not plan on presenting witnesses, but will submit an additional notice affidavit.

OTHER PARTIESWITNESSESEST. TIMEEXHIBITS**PROCEDURAL MATTERS** *TW*

These cases were consolidated with Cases Nos. 14725 and 14726, filed by COG Operating LLC, and were heard on September 1, 2011. Applicant sought to drill vertical wells, and COG sought to drill horizontal wells. Order No. R-134490 was entered on December 14, 2011, which granted all six applications. Applicant and COG subsequently filed a joint motion to reopen the cases and stay the order. That motion was granted by Order No. R-13490-A entered on January 12, 2012. *Also Sept 29 will Jones*

Since the order re-opening the cases was entered, applicant, COG, and other parties to these proceedings have settled their differences, and it was agreed that applicant would drill its proposed wells, COG would withdraw its applications, and applicant would operate the subject acreage. COG has dismissed its applications. *AA*

Order No. R-13490 was the first Division order which granted all competing pooling applications, and it left many issues unresolved. As a result, applicant and COG will be filing a joint motion to rescind the order and substitute a new pooling order which covers only the above applications. Applicant requests that this motion be considered at the May 24, 2012 hearing.

Respectfully submitted,

*James Bruce*

James Bruce  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043


Attorney for Cimarex Energy Co.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 17<sup>th</sup> day of May, 2012 by facsimile transmission and U.S. Mail:

William F. Carr  
Michael Feldewert  
Adam Rankin  
Holland & Hart LLP  
P.O. Box 2208  
Santa Fe, New Mexico 87504  
(505) 983-6043

J. Scott Hall  
Montgomery & Andrews, P.A.  
P.O. 2307  
Santa Fe, New Mexico 87504  
(505) 982-4289

  
James Bruce