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

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APPLICATION OF CIMAREX ENERGY CO. OF COLORADO
FOR DESIGNATION OF A NON-STANDARD
SPACING UNIT AND FOR COMPULSORY POOLING
LEA COUNTY, NEW MEXICO

CASE 14582
ORDER R-13357

[Lynch 32 Federal No. 2-H Well-E/2E/2 Sec 23]

CIMAREX'S PRE-HEARING STATEMENT

Cimarex Energy Co. of Colorado ("Cimarex") submits their pre-hearing statement as required by the New Mexico Oil Conservation Commission.

APPEARANCES OF THE PARTIES

ORIGINAL APPLICANT

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and

MODRALL, SPERLING, ROEHL,
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OPPONENT

Nearburg Producing Company

ATTORNEY

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CIMAREX'S STATEMENT OF THE CASE

Nearburg has filed a motion to reopen this case for an addition hearing of the effect and meaning of a compulsory pooling order R-13357, an order entered more than one year ago, on February 7, 2011 in which it was a party and appeared at the hearing in January 6, 2011.

The Division has set Nearburg's motion for oral argument on May 10, 2012. Nearburg should not be allowed to turn this motion hearing into an evidentiary hearing and bypass the fact that it failed to file for de novo hearing more than one year ago.

Cimarex will present an oral argument consistent with its Memorandum Response filed on April 27, 2012 in opposition to Nearburg

PROPOSED EVIDENCE**APPLICANT****WITNESSES****EST. TIME****EST. EXHIBIT**

Cimarex does not intend to call any witness and will rely upon the Exhibits filed with its Memorandum Response to Nearburg's Motion to Reopen.

PROCEDURAL MATTERS

Cimarex will oppose any attempt to call witnesses to put into evidence testimony in this motion hearing that can be decided based upon the oral argument of the parties and the existing orders, rules and regulations of the Division.


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CERTIFICATE OF SERVICE

I certify that on May 3, 2012, I served a copy of the foregoing documents by:

☐ US Mail, postage prepaid

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to the following:

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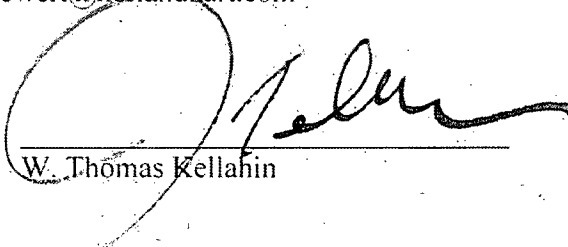
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