

**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 HEARING:**

**APPLICATION OF DEVON ENERGY PRODUCTION  
COMPANY, L. P. FOR DESIGNATION OF A NON-STANDARD  
SPACING UNIT AND FOR COMPULSORY POOLING  
LEA COUNTY, NEW MEXICO**

**CASE 14570**

**[Shinnery 15 Federal Com NO. 3-H well]**

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

**CASE 14573**

**[North Young 15 Federal Co No. 2-H well]**

**MOTION TO CONTINUE AND CONSOLIDATE**

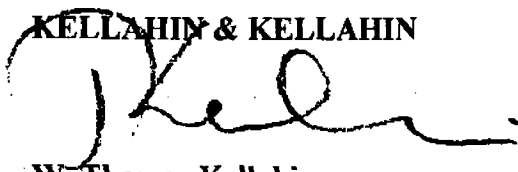
W. Thomas Kellahin, on behalf of Cimarex Energy Co. of Colorado ("Cimarex") moves that the New Mexico Oil Conservation Division ("Division") continue the hearing of the Case 14570 from the November 18, 2010 docket to the December 2, 2010 docket for consolidation with Case 14573 and as ground therefore states:

- (1) On October 6, 2010, Devon Energy Production Company, L.P., ("Devon") filed a compulsory pooling application for a horizontal wellbore, the Shinnery 15 Federal Com No. 3-H Well, within four 40-acre spacing units consisting of the S/2N/2 Sec 15, T18S, R32E, Lea County NM, that has been docketed as Division Case 14570 that is currently set for hearing on November 18, 2010.
- (2) On October 28, 2010, Cimarex filed a compulsory pooling application for a horizontal wellbore, the North Young 15 Federal Com 2-H Well, within four 40-acre spacing units consisting of the E/2W/2 Sec 15, T18S, R32E, Lea County NM, that has been docketed as Division Case 14573 that is currently set for hearing on December 2, 2010.

- (3) Cimarex proposed it well by letter dated September 28, 2010 while Devon proposed its well by letter dated September 23, 2010.
- (4) These cases seek spacing units with different orientation and conflicted acreage such that the Division's order entered in each case will affect the other.
- (5) The evidence to be introduced in each case will overlap.
- (6) A continuance and consolidation for the same evidentiary hearing with the entry of separate orders will save the time of the Division and that of the parties.
- (7) The concurrence of Counsel for Devon has been requested.

Accordingly, Cimarex requests that this motion for a continuance and consolidation be granted.

**KELLAHIN & KELLAHIN**

  
**W. Thomas Kellahin**  
**706 Gonzales Road**  
**Santa Fe, New Mexico 87501**  
**Phone 505-982-4285**  
**Fax 505-216-2780**  
**E-mail: tkellahin@comcast.net**

**CERTIFICATE OF SERVICE**

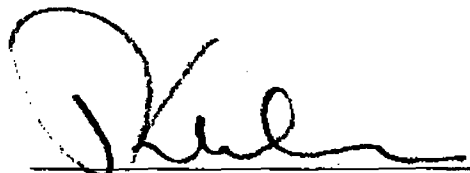
I certify that on November 10 2010, I served a copy of the foregoing documents by:

- ☐ US Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Facsimile
- ☒ E-mail

to the following:

David K. Brooks, Esq.  
OCD Examiner  
David.brooks@state.nm.us

J. Scott Hall, Esq.  
Attorney for Devon  
shall@montand.com

  
W. Thomas Kellahin