Abbott Gary R Form 4 January 05, 2010

#### UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

Check this box

if no longer subject to Section 16. Form 4 or

Form 5 obligations may continue. See Instruction STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF **SECURITIES** 

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1(b).

(Last)

1. Name and Address of Reporting Person \* Abbott Gary R

> (First) (Middle)

1700 LINCOLN STREET SUITE 1800

(Street)

01/04/2010

Stock

DENVER, CO 80203

2. Issuer Name and Ticker or Trading Symbol

CIMAREX ENERGY CO [XEC]

(Month/Day/Year) 01/02/2010

4. If Amendment, Date Original Filed(Month/Day/Year)

3. Date of Earliest Transaction

**OMB APPROVAL** 

OMB Number:

3235-0287

Expires:

January 31, 2005

Estimated average burden hours per

response...

0.5

(Check all applicable) Director 10% Owner Officer (give title Other (specify below) below) Vice President 6. Individual or Joint/Group Filing(Check Applicable Line)

5. Relationship of Reporting Person(s) to

Issuer

\_X\_ Form filed by One Reporting Person Form filed by More than One Reporting Person

(City) (State) (Zip) Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned 1. Title of 2. Transaction Date 2A. Deemed 3. 4. Securities Acquired (A) 5. Amount of 7. Nature of Security (Month/Day/Year) Execution Date, if Transaction Disposed of (D) Securities Ownership Indirect (Instr. 3) any Code (Instr. 3, 4 and 5) Beneficially Form: Beneficial (Month/Day/Year) Owned Direct (D) Ownership (Instr. 8) **Following** or Indirect (Instr. 4) Reported (A) Transaction(s) (Instr. 4) (Instr. 3 and 4) Code V Amount (D) Price Common 1,270 Ι By 401(k) Stock Common 01/02/2010 D 960 (1) D \$0 D 101,540 Stock Common 9,589 F 01/02/2010 D \$0 91,951 D Stock (2) Common 40,000 01/04/2010 A \$0 131,951 D Stock (3) Common 13,500

(4)

D

55.0249

118,451

D

S

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Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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SEC 1474 (9-02)

9. Nu Deriv Secur Bene

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Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

1. Title of	2.	3. Transaction Date	3A. Deemed	4.	5.	6. Date Exerc	cisable and	7. Titl	e and	8. Price of
Derivative	Conversion	(Month/Day/Year)	Execution Date, if	Transac	tionNumber	Expiration Da	ate	Amou	nt of	Derivative
Security	or Exercise		any	Code	of	(Month/Day/	Year)	Under	lying	Security
(Instr. 3)	Price of		(Month/Day/Year)	(Instr. 8	) Derivative	e		Securi	ties	(Instr. 5)
	Derivative				Securities	;		(Instr.	3 and 4)	
	Security				Acquired					
					(A) or					
					Disposed					
					of (D)					
					(Instr. 3,					
					4, and 5)					
									Amount	
						Date Exercisable	Expiration e Date		or	
								Title	Number	
				~					of	
				Code V	V (A) (D)				Shares	

# **Reporting Owners**

Reporting Owner Name / Address Relationships

Director 10% Owner Officer Other

Abbott Gary R 1700 LINCOLN STREET SUITE 1800 DENVER, CO 80203

Vice President

## **Signatures**

Thomas A. Richardson, attorney in fact

01/05/2010

\*\*Signature of Reporting Person

Date

# **Explanation of Responses:**

- \* If the form is filed by more than one reporting person, see Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Relates to performance award with a vesting date of 1/2/10. Represents shares forfeited pursuant to performance criteria.
- (2) Relates to performance award with a vesting date of 1/2/10. Represents shares vested but withheld for taxes as permitted by the award agreement.
- (3) Represents a performance award of restricted stock that is subject to three-year cliff vesting and the satisfaction of certain performance criteria.
- (4) The price reported in Column 4 for the January 4, 2010 sales is a weighted average price. These shares were sold in multiple transactions at prices ranging from \$54.92 to \$55.16, inclusive. The reporting person undertakes to provide to Cimarex Energy Co., any security holder of Cimarex Energy Co. or the staff of the Securities and Exchange Commission, upon request, full information regarding the

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number of shares sold at each separate price within the ranges set forth in this footnote.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.