

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

**APPLICATION OF COG PRODUCTION LLC
FOR COMPULSORY POOLING AND APPROVAL
OF NON-STANDARD SPACING UNIT,
LEA COUNTY, NEW MEXICO.**

CASE NO. _____

APPLICATION

In accordance with NMSA 1978, § 70-2-17 and NMAC 19.15.16.15(B)(5), COG Production LLC (“COG” or “Applicant”), through its undersigned attorneys, files this application with the Oil Conservation Division (“Division”) seeking an order: (1) establishing an 1,279.08-acre, more or less, non-standard horizontal spacing unit comprised of all of irregular Section 5 and Section 8, Township 24 South, Range 33 East, Lea County, New Mexico (“Unit”); and (2) pooling all uncommitted interests in the Bone Spring formation underlying the Unit. In support of this application, COG states the following.

1. Applicant (OGRID No. 217955) is a working interest owner in the Unit and has the right to drill thereon.
2. Applicant seeks to dedicate the Unit to the following proposed wells (“Wells”):
 - a. **Eata Fajita State Com 601H**, which will be drilled from a surface hole location in the SE/4 SE/4 (Unit P) of Section 8 to a bottom hole location in Lot 1 (NE/4 NE/4 equivalent) of Section 5.
 - b. **Eata Fajita State Com 603H**, which will be drilled from a surface hole location in the SE/4 SE/4 (Unit P) of Section 8 to a bottom hole location in Lot 2 (NW/4 NE/4 equivalent) of Section 5;

- c. **Eata Fajita State Com 605H**, which will be drilled from a surface hole location in the SE/4 SW/4 (Unit N) of Section 8 to a bottom hole location in Lot 3 (NE/4 NW/4 equivalent) of Section 5; and
 - d. **Eata Fajita State Com 607H**, which will be drilled from a surface hole location in the SW/4 SW/4 (Unit M) of Section 8 to a bottom hole location in Lot 4 (NW/4 NW/4 equivalent) of Section 5.
- 3. The completed intervals of the Wells will be orthodox.
 - 4. Applicant has sought and been unable to obtain voluntary agreement for the development of these lands from all of the interest owners in the Unit.
 - 5. The pooling of interests will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.
 - 6. Approval of a non-standard horizontal spacing unit is necessary to prevent waste and protect correlative rights.
 - 7. In order to permit Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted interests in the Unit should be pooled and Applicant should be designated the operator of the proposed horizontal wells and the Unit.

WHEREFORE, Applicant requests that this application be set for hearing before an Examiner of the Oil Conservation Division on May 2, 2024, and, after notice and hearing as required by law, the Division enter an order:

- A. Approving a non-standard horizontal spacing unit;
- B. Pooling all uncommitted interests in the Unit;
- C. Approving the initial wells in the Unit;

- D. Designating Applicant as the operator of the Unit and the horizontal wells to be drilled thereon;
- E. Authorizing Applicant to recover its costs of drilling, equipping, and completing the wells;
- F. Approving the actual operating charges and costs of supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedures; and
- G. Imposing a 200% charge for the risk assumed by Applicant in drilling and completing the wells against any working interest owner who does not voluntarily participate in the drilling of the wells.

Respectfully submitted,

HINKLE SHANOR LLP

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