

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

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD OIL, SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case No. 16327

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD OIL, SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case No. 16328

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD OIL, SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case No. 16329

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD OIL, SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case No. 16330

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD OIL, SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case No. 16331

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD OIL, SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case No. 16332

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD OIL, SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case No. 16333

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD OIL, SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case No. 16334

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD OIL, SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

Case No. 16335

PRE-HEARING STATEMENT

This Pre-hearing Statement is submitted by EOG Resources, Inc. (“EOG”) by and through its undersigned counsel, Ernest L. Padilla, PADILLA LAW FIRM, P.A., as required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT:

COG Operating LLC

ATTORNEY:

Ocean Munds-Dry
Concho Resources Inc
1048 Paseo de Peralta
Santa Fe, NM 87501-3034
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Michael H. Feldewert
Holland & Hart
PO Box 2209
Santa Fe, NM 87504
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OPPOSITION OR OTHER PARTY:

EOG Resources, Inc.

ATTORNEY:

Ernest L. Padilla
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STATEMENT OF CASE

APPLICANT:

OPPOSITION OR OTHER PARTY:

The lands covered by the COG applications are within the Potash Area, and approval from the Bureau of Land Management for the drilling island and the plan of development are necessary before any drilling can occur. Upon information and belief, COG has not obtained such approval. Accordingly, the captioned pooling applications are premature.

Additionally, EOG can drill, complete, and more efficiently operate the proposed wells for lower costs than COG, and therefore, should be named operator of the wells.

Lastly, COG is using the compulsory pooling applications as a negotiating tactic, therefore, it is acting in bad faith.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EXHIBITS

OPPOSITION

WITNESSES

EST. TIME

EXHIBITS

Charles Moran, Petroleum Landman

20 min.

Well Cost Estimates and
Plans of Development

Lorraine Baline, Geologist

15 min.

Geological mapping

Matt Mason, Engineer

20 min.

Drilling costs and other
drilling documentation

PROCEDURAL MATTERS

COG, by its counsel, sent notices of the hearings in the captioned cases by letters dated July 6, 2018. EOG received the notices on July 10, 2018. NMAC §§ 19.15.4.9 (B) and 19.15.4.10 require that notice be given 20 days before the hearing. EOG, therefore, moves for a continuance of two weeks to the Division's August 9, 2018 docket. Undersigned counsel has requested a two-week continuance from Ocean Munds-Dry, counsel for COG, but such request has been denied.

PADILLA LAW FIRM, P.A.

/s/ ERNEST L. PADILLA

ERNEST L. PADILLA

Attorney for EOG Resources, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of this Pre-Hearing Statement to be served upon the following by electronic mail on this 17th day of July, 2018:

Ocean Munds-Dry
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/s/ ERNEST L. PADILLA

ERNEST L. PADILLA