

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

**APPLICATION OF COG OPERATING LLC
FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.**

CASE NO. 16316

**APPLICATION OF COG OPERATING LLC
FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.**

CASE NO. 16317

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

CASE NO. 16318

**APPLICATION OF COG OPERATING LLC
FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.**

CASE NO. 16319

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

CASE NO. 16320

MARATHON'S AMENDED PRE-HEARING STATEMENT

Marathon Oil Permian LLC ("Marathon") submits this Pre-Hearing Statement for the

above-referenced case pursuant to the rules of the Oil Conservation Division.

APPEARANCES

APPLICANT

COG Operating LLC
One Concho Center
600 W. Illinois Ave
Midland, TX 79701

ATTORNEY

Elizabeth A. Ryan
COG Operating LLC &
Concho Resources Inc.
1048 Paseo de Peralta
Santa Fe, New Mexico 87501
eryan@concho.com

OPPONENT

Marathon Oil Permian LLC
5555 San Felipe St.
Houston, TX 77056

ATTORNEY

Earl E. DeBrine, Jr.
Jennifer L. Bradfute
MODRALL, SPERLING, ROEHL,
HARRIS & SISK, P.A.
P. O. Box 2168
Albuquerque, New Mexico 87103-2168
(505) 848-1800

STATEMENT OF CASE

OPPONENT:

Applicant in the above-styled cases seeks orders from the Division creating non-standard spacing and proration units and compulsory pooling within Section 18 and 19 of Township 24 South, Range 25 East, NMPM, Lea County, New Mexico.

Marathon had previously filed applications with the Division in Case Nos. 16144, 16145, 16146, 16150 and 16151 involving this acreage. Marathon objects to the development plans proposed by COG because such plans will impair Marathon's correlative rights, cause waste, strand reserves underlying the proposed spacing and proration units. Marathon will also present

evidence showing that it can more prudently operate the property.

PROPOSED EVIDENCE

APPLICANT:

<u>WITNESS</u>	<u>ESTIMATED TIME</u>	<u>EXHIBITS</u>
Ryan Gyllenband – Landman	Approx. 30	Approx. 8
Ethan Perry – Geologist	Approx. 30	Approx. 6
Jacob Rotolo/TBD – Reservoir Engineer	Approx. 30	Approx. 6

Respectfully submitted,

**MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.**

By: _____

Jennifer L. Bradfute

Deana Bennett

Post Office Box 2168

Bank of America Centre

500 Fourth Street NW, Suite 1000

Albuquerque, New Mexico 87103-2168

Telephone: 505.848.1800

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on counsel of record by electronic mail on August 23, 2018:

Elizabeth A. Ryan
COG Operating LLC &
Concho Resources Inc.
1048 Paseo de Peralta
Santa Fe, New Mexico 87501
eryan@concho.com

By: _____

Jennifer L. Bradfute

Deana Bennett

Post Office Box 2168

Bank of America Centre

500 Fourth Street NW, Suite 1000

Albuquerque, New Mexico 87103-2168

Telephone: 505.848.1800