

# COG OPERATING LLC

Van Gogh 101H  
Section 11-T24S-35E  
Lea County, New Mexico



**BEFORE THE OIL CONSERVATION DIVISION  
EXAMINER HEARING JANUARY 7, 2019**

**CASE NO. 20224**



**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. 20224**

**AFFIDAVIT OF MATT SOLOMON  
IN SUPPORT OF CASE NO. 20224**

Matt Solomon, of lawful age and being first duly sworn, declares as follows:

1. My name is Matt Solomon. I work for COG Operating LLC ("COG") as a Landman.
2. I have previously testified before the New Mexico Oil Conservation Division as an expert witness in petroleum land matters. My credentials as a petroleum landman have been accepted by the Division and made a matter of record.
3. I am familiar with the application filed by COG in this case, and I am familiar with the status of the lands in the subject area.
4. None of the proposed pool parties has indicated opposition, and therefore I do not expect any opposition at the hearing.
5. COG is seeking an order (a) pooling all uncommitted interests in the Bone Spring formation in the 320-acre horizontal spacing unit comprised of the W/2 E/2 and the E/2 W/2 of Section 11, Township 24 South, Range 34 East, N.M.P.M., Lea County, New Mexico; and (b) dedicating the above-referenced horizontal spacing unit to its proposed **Van Gogh Fee No. 101H Well**.

6. COG has filed a Form C-102 with the Division for the proposed Van Gogh Fee No. 101H well. A copy of the C-102 is attached hereto as **COG Exhibit A-1**. The Pool Code assigned is 96434.

7. Incorporating the proximity tracts, the completed interval for Van Gogh Fee No. 101H Well will comply with the statewide setback requirements.

8. There are no depth severances in the Bone Spring formation.

9. **COG Exhibit A-2** is an exhibit prepared by me that identifies the tracts of land comprising the spacing unit. This spacing unit includes fee land only. This exhibit shows the interest owners and the percentage of their ownership interests in the proposed spacing unit. COG is seeking to pool the interest owners identified therein.

10. COG sent a well proposal letter to the working interest owners it is seeking to pool. An AFE was included with the well proposal letter. The costs reflected in the AFE are consistent with what other operators have incurred for drilling similar horizontal wells in the area. A copy of a well proposal letter, along with the AFE, is attached as **COG Exhibit A-3**.

11. COG has made an estimate of overhead and administrative costs for drilling and producing the proposed well. It is \$7,000/month while drilling, and \$700/month while producing. These costs are consistent with what other operators are charging in this area for these types of wells. COG respectfully requests that these administrative and overhead costs be incorporated into any order entered by the Division in this case.

12. There are two unleased mineral interest owners that COG is seeking to pool. COG offered to lease their mineral interests.

13. There are no overriding royalty interests that need to be pooled.



DISTRICT I  
1625 N. FRENCH DR., BOHRS, NM 87540  
Phone: (505) 363-6161 Fax: (505) 363-0789

DISTRICT II  
811 E. FIRST ST., ARTESIA, NM 88210  
Phone: (505) 748-1883 Fax: (505) 748-8780

DISTRICT III  
1000 RIO BRAZOS RD., AZTEC, NM 87410  
Phone: (505) 334-8175 Fax: (505) 334-8170

DISTRICT IV  
1625 N. FRENCH DR., SANTA FE, NM 87505  
Phone: (505) 478-3400 Fax: (505) 478-3483

State of New Mexico  
Energy, Minerals & Natural Resources Department  
**OIL CONSERVATION DIVISION**  
1220 SOUTH ST. FRANCIS DR.  
Santa Fe, New Mexico 87505

Form C-102  
Revised August 1, 2011  
Submit one copy to appropriate  
District Office

☐ AMENDED REPORT

**WELL LOCATION AND ACREAGE DEDICATION PLAT**

API Number <b>30-025-45255</b>	Pool Code <b>98434</b>	Post Name <b>Red Hills; Bone Spring, North</b>
Property Code <b>39815</b>	Property Name <b>VAN GOGH FEE</b>	Well Number <b>101H</b>
OGRID No. <b>229137</b>	Operator Name <b>COG OPERATING, LLC</b>	Elevation <b>3469.9'</b>

**Surface Location**

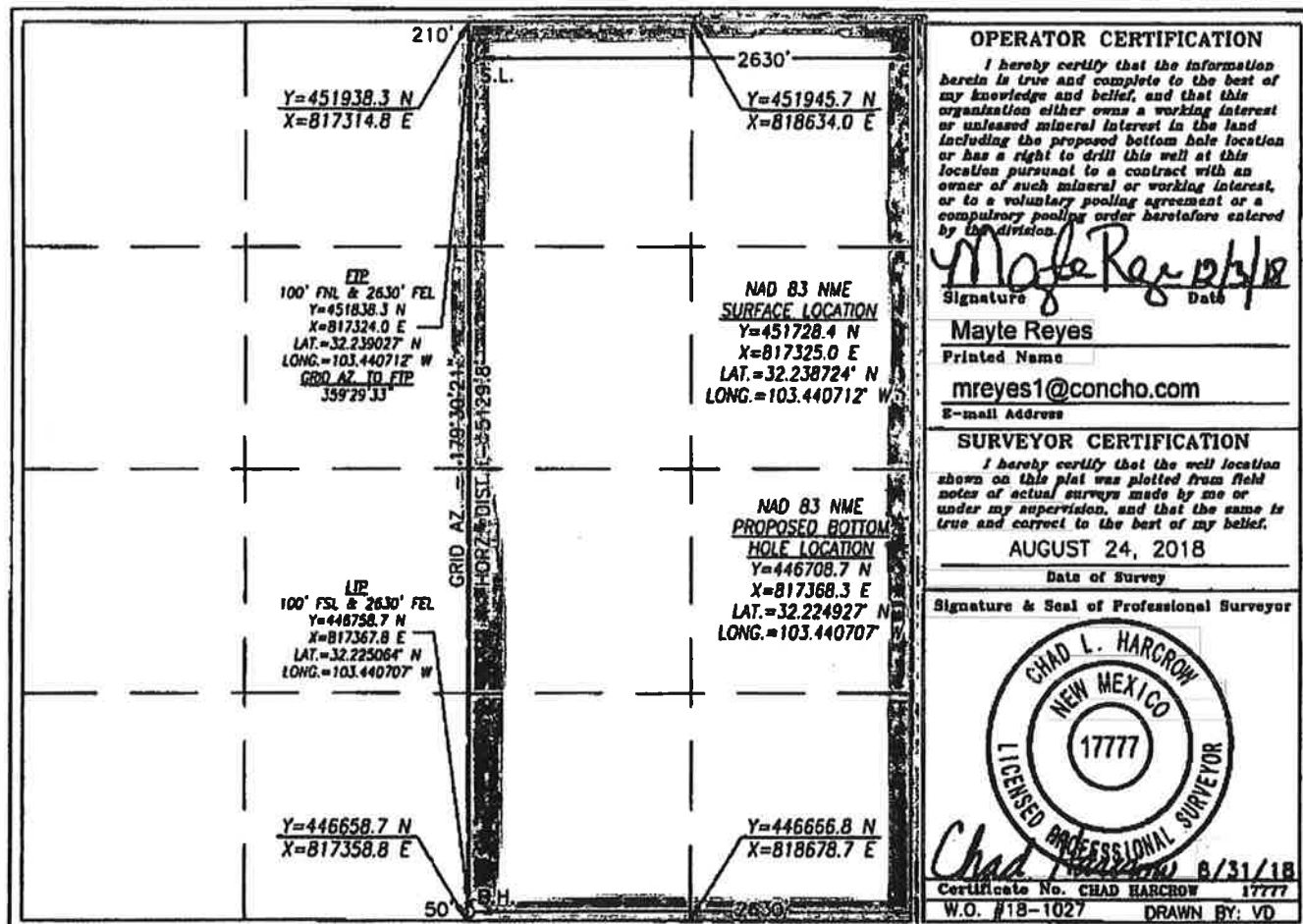
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
B	11	24-S	34-E		210	NORTH	2630	EAST	LEA

**Bottom Hole Location if Different From Surface**

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
O	11	24-S	34-E		50	SOUTH	2630	EAST	LEA

Dedicated Acres <b>320</b>	Joint or Infill	Consolidation Code	Order No.
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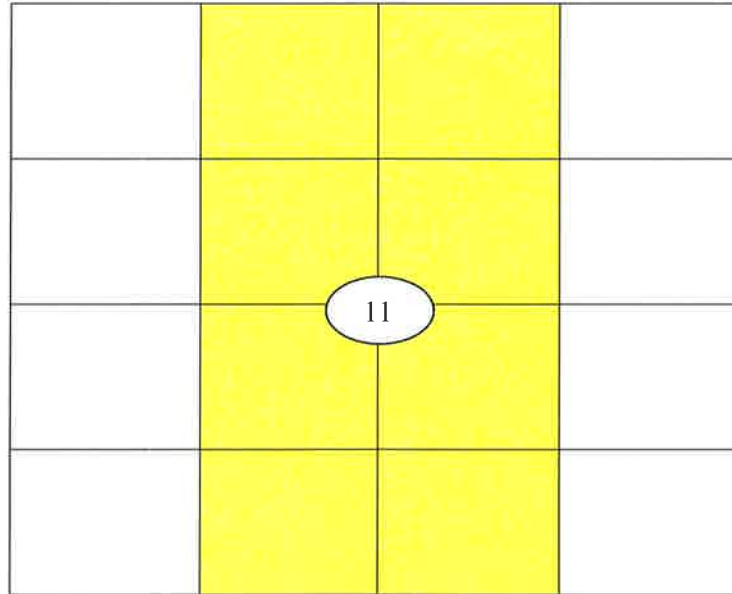
NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED  
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION



BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Exhibit No. A-1  
Submitted by: COG OPERATING, LLC  
Hearing Date: February 7, 2019  
Case No. 20224

**Case No. 20224**  
**Van Gogh Fee No. 101H**  
 E/2W/2 and W/2E/2 of Section 11, T24S-R34E, NMPM,  
 Lea County, New Mexico

Tract: 1



**Unit Working Interest**

COG Operating, LLC	48.625000%
Tap Rock Resources, LLC	14.218750%
Marathon Oil Permian, LLC	13.331712%
Energen Resources Corporation/Diamondback Energy, Inc.	8.125000%
Energen Resources Corporation/Diamondback Energy, Inc.**	3.456038%
Crown Oil Partners VI, LLC	3.047703%
Crump Energy Partners III, LLC	3.047703%
Devon Energy Production Company, L.P.**	2.896439%
OneEnergy Partners Operating, LLC/Franklin Mountain Energy, LLC	1.562500%
Foundation Minerals, LLC**	1.564155%
	<b>100.000000%</b>

\*\*Unleased Minerals

**Pooling Notification List**

**Working Interest Owners**

COG Operating, LLC  
 600 W. Illinois Ave.  
 Midland, Texas 79701

Tap Rock Resources, LLC  
 602 Park Point Drive, Suite 200  
 Golden, Colorado 80401

BEFORE THE OIL CONSERVATION DIVISION  
 Santa Fe, New Mexico  
 Exhibit No. A-2  
 Submitted by: COG OPERATING, LLC  
 Hearing Date: February 7, 2019  
 Case No. 20224

Marathon Oil Permian, LLC  
5555 San Felipe Street  
Houston, Texas 76102

Energen Resources Corporation  
605 Richard Arrington Jr. Boulevard North  
Birmingham, Alabama 35203

Diamondback Energy, Inc.  
500 West Texas Ave, Suite 1200  
Midland, TX 79701

Crown Oil Partners VI, LLC  
P.O. Box 50820  
Midland, Texas 79710

Crump Energy Partners III, LLC  
P.O. Box 50820  
Midland, Texas 79710

Devon Energy Production Company, L.P.  
333 W. Sheridan Ave.  
Oklahoma City, OK 73102

OneEnergy Partners Operating, LLC  
2929 Allen Parkway, Suite 200  
Houston, Texas 77019

Franklin Mountain Energy, LLC  
123 West Mills Avenue, Suite 600  
El Paso, TX 79901

Foundation Minerals, LLC  
14241 Dallas Parkway, Suite 600  
Dallas, TX 75254



October 17, 2018

OneEnergy Partners Operating, LLC  
2929 Allen Pkwy, Ste 200  
Houston, TX 77019

**Re: Well Proposal – Van Gogh Fee #101H**

Sec 11: W/2E/2, E/2W/2 - T24S-R34E

SHL: 210' FNL/ 2630' FEL, or a legal location in Sec 11 (Unit B)

BHL: 50' FSL/ 2630' FEL, or a legal location in Sec 11 (Unit O)

Lea County, New Mexico

Dear Sir/Madam:

COG Operating LLC ("COG"), as Operator, hereby proposes to drill the Van Gogh Fee #101H well as a horizontal well at the above-captioned location, or at a legal location as approved by the governing regulatory agency, to a TVD of approximately 9,366' and a MD of approximately 14,300' to test the Bone Spring formation ("Operation"). The total cost of the Operation is estimated to be \$7,793,997 and a detailed description of the cost is set out in the enclosed Authority for Expenditure ("AFE").

COG is proposing to drill this well under the terms of the modified 1989 AAPL form of Operating Agreement which is enclosed for your review and approval. The Operating Agreement covers Sec 11: W/2E/2, E/2W/2 - T24S-R34E. It has the following general provisions:

- 100/300 Non-Consenting Penalty
- \$7,000/\$700 Drilling and Producing Rate
- COG Operating LLC named as Operator

Please indicate your election in the space provided below, sign and return this letter, along with a signed copy of the enclosed AFE and a copy of your geologic well requirements. A self-addressed, postage paid envelope is enclosed for your convenience. If you do not wish to participate, COG proposes to acquire your interest via term assignment. It has the following general provisions:

- 3 year primary term
- Delivering a 75% NRI, proportionately reduced
- \$5,000 per net acre bonus consideration

The Term Assignment offer expires 5 p.m., Central Time, December 1, 2018, and it is subject to the approval of COG's management and verification of title.

If an agreement cannot be reached within 30 days of the date of this letter, COG will apply to the New Mexico Oil Conservation Division for compulsory pooling of your interest into a spacing unit for the proposed well if uncommitted at such time.



If you have any questions, please contact the undersigned at (432) 685-4352 Msolomon@concho.com.

Respectfully,



Matt Solomon  
Staff Landman

\_\_\_\_\_ I/We hereby elect to participate in the Van Gogh Fee #101H.

\_\_\_\_\_ I/We hereby elect **not** to participate in the Van Gogh Fee #101H.

Company: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**COG OPERATING LLC  
AUTHORITY FOR EXPENDITURE  
DRILLING**

<b>WELL NAME:</b>	<b>VAN GOGH FEE #101H</b>	<b>PROSPECT NAME:</b>	<b>Bulldog 2434 (717040)</b>
<b>SHL:</b>	<b>Sec 11: 210 FNL &amp; 2630 FEL</b>	<b>STATE &amp; COUNTY:</b>	<b>New Mexico, Lea</b>
<b>BHL:</b>	<b>Sec 11: 50 FSL &amp; 2630 FEL</b>	<b>OBJECTIVE:</b>	<b>Drill and Complete</b>
<b>FORMATION:</b>	<b>Upper Avalon Shale</b>	<b>DEPTH:</b>	<b>14,300</b>
<b>LEGAL:</b>	<b>Sec 11: T24S R34E</b>	<b>TVD:</b>	<b>9,366</b>

		<b>Drig - Rig Release(D)</b>	<b>Completion(C)</b>	<b>Tank Btty Constrctn(TB)</b>	<b>Pmpg Equipment(PEQ)</b>	<b>TOTAL</b>
<b>INTANGIBLE COSTS</b>						
Title/Curative/Permit	201	20,000				20,000
Insurance	202	2,500	302			2,500
Damages/Right of Way	203	20,000	303			20,000
Survey/Stake Location	204	7,000		352		7,000
Location/Pits/Road Expense	205	135,000	305	10,000	353	219,700
Drilling / Completion Overhead	206	4,500	306	15,000		19,500
Turnkey Contract	207	0				0
Footage Contract	208	0				0
Daywork Contract	209	456,000				456,000
Directional Drilling Services	210	167,000				167,000
Frac Equipment			307	873,000		873,000
Frac Chemicals			308	243,000		243,000
Frac Proppant			309	191,000		191,000
Frac Proppant Transportation			310	189,000		189,000
Fuel & Power	211	81,000	311	35,000	354	116,000
Water	212	42,000	312	519,000	367	561,000
Bbs	213	74,000	313	3,000	368	77,000
Mud & Chemicals	214	45,000	314	8,500	369	53,500
Drill Stem Test	215	0	315		370	0
Coring & Analysis	216	0				0
Cement Surface	217	25,500				25,500
Cement Intermediate	218	35,000				35,000
Cement 2nd Intermediate/Production	219	112,000				112,000
Cement Squeeze & Other (Kickoff Plug)	220	0			371	0
Float Equipment & Centralizers	221	14,000				14,000
Casing Crews & Equipment	222	35,000				35,000
Fishing Tools & Service	223	0	323		372	0
Geologic/Engineering	224	4,800	324		373	4,800
Contract Labor	225	6,500	325	40,000	356	257,073
Company Supervision	226	27,000	326	15,000	357	42,000
Contract Supervision	227	74,000	327	127,000	358	206,000
Testing Casing/Tubing	228	30,000	328	5,000		35,000
Mud Logging Unit	229	25,000	329			25,000
Logging	230	0				0
Perforating/Wireline Services	231	4,000	331	290,000		294,000
Stimulation/Treating			332	12,000		12,000
Completion Unit			333	35,500		44,300
Swabbing Unit			334			0
Rentals-Surface	235	77,000	335	305,000	359	389,000
Rentals-Subsurface	236	70,000	336	40,000		110,000
Trucking/Forklift/Rig Mobilization	237	200,000	337	40,000	360	243,000
Welding Services	238	3,000	338	5,000	361	8,000
Water Disposal	239	0	339	60,000	362	284,100
Plug to Abandon	240	0	340			0
Seismic Analysis	241	0	341			0
Miscellaneous	242	5,000	342		369	5,000
Contingency	243	37,000	343	100,000	363	137,000
Closed Loop & Environmental	244	130,000	344	5,000	364	135,000
Dyed Diesel	245		345	229,000		
Coil Tubing			346			0
Flowback Crews & Equip			347	77,000		77,000
Offset Directional/Frac	248		348		391	0
<b>TOTAL INTANGIBLES</b>		<b>1,968,800</b>	<b>3,472,000</b>	<b>502,873</b>	<b>30,300</b>	<b>5,973,973</b>
<b>TANGIBLE COSTS</b>						
Surface Casing	401	35,000				35,000
Intermediate Casing	402	209,000				209,000
Production Casing/Liner	403	241,000				241,000
Tubing			504	52,030	530	57,030
Wellhead Equipment	405	27,500	505	18,700	531	49,200
Pumping Unit					506	96,000
Prime Mover					507	0
Rods					508	45,000
Pumps-Sub Surface (BH)			509		532	5,000
Tanks				105,651		105,651
Flowlines				44,145		44,145
Heater Treater/Separator				232,411		232,411
Electrical System				215,800	533	230,800
Packers/Anchors/Hangers	414		514	65,000	534	67,000
Couplings/Fittings/Valves	415			169,788		169,788
Dehydration						0
Injection Plant/CO2 Equipment						0
Pumps-Surface				7,830		7,830
Instrumentation/SCADA/POC				17,400	529	24,400
Miscellaneous	419		519	8,700	535	11,700
Contingency	420		520		636	0
Meters/LACT				41,759		41,759
Flares/Combustors/Emission				39,149		39,149
Gas Lift/Compression			527	11,000	528	108,161
<b>TOTAL TANGIBLES</b>		<b>512,500</b>	<b>146,730</b>	<b>879,794</b>	<b>161,000</b>	<b>1,820,024</b>
<b>TOTAL WELL COSTS</b>		<b>2,481,300</b>	<b>3,619,000</b>	<b>1,482,667</b>	<b>211,300</b>	<b>7,793,997</b>
<b>% of Total Well Cost</b>		<b>32%</b>	<b>46%</b>	<b>18%</b>	<b>3%</b>	

COG Operating LLC

Date Prepared: 9/6/16

We approve:  
% Working Interest

COG Operating LLC

By: KL-JH-SM-CG

Company:

By:

Printed Name:

Title:

Date:

This AFE is only an estimate. By signing you agree to pay your share of the actual costs incurred.

**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 NOS. 20224**

**AFFIDAVIT OF BRIAN SITEK  
IN SUPPORT OF CASE NO. 20224**

Brian Sitek, of lawful age and being first duly sworn, declares as follows:

1. My name is Brian Sitek. I work for COG Operating LLC ("COG") as a Geologist.
2. I have previously testified before the New Mexico Oil Conservation Division as an expert witness in petroleum geology. My credentials as a petroleum geologist have been accepted by the Division and made a matter of record.
3. I am familiar with the application filed by COG in this case, and I have conducted a geologic study of the lands in the subject area.
4. COG is targeting the Bone Spring formation.
5. **COG Exhibit B-1** is a locator map. It shows COG's acreage in yellow. The path of the proposed wellbore for the proposed **Van Gogh Fee No. 101H well** is marked by the dashed green line. The surface hole location is shown by green square, and the bottom hole location is shown by a green circle.
6. **COG Exhibit B-2** is a subsea structure map that I prepared off the top of the Bone Spring. As with the locator map, the wellbore path for the proposed Van Gogh Fee No. 101 Well is depicted by a dashed green line. The contour interval is 25 feet. The structure map shows that the area is gently sloping down to the southeast. It also shows nearby Upper Avalon Shale

producing wells. The structure appears consistent in this section. I do not observe any faulting, pinchouts, or other geologic hazards to developing a horizontal well.

7. **COG Exhibit No. B-3** shows three wells used to construct a cross-section from A to A'. I consider these wells to be representative of the geology of the area.

8. **COG Exhibit No. B-4** is a cross section prepared by me for the three representative wells from A to A'. The exhibit shows logs for gamma ray and porosity for all three wells, and logs for resistivity for two of the three wells. The proposed target interval is labeled and depicted by a green bracket. The logs in the cross-section demonstrate that the target interval within the Upper Avalon Shale is consistent in thickness across the entire proposed spacing unit.


9. Based on my geologic study of the areas, I have not identified any geologic impediments to drilling horizontal wells in the area.

10. In my opinion, each quarter-quarter section will be productive and contribute more-or-less equally to each 40-acre unit comprising the horizontal spacing unit.

11. In my opinion, horizontal drilling will be the most efficient method to develop this acreage, to prevent the drilling of unnecessary wells, and to result in the greatest ultimate recovery.

12. In my opinion, the granting of COG's application in this case will be in the best interest of conservation, the prevention of waste, and protection of correlative rights.

13. **COG Exhibit B-1 through B-4** were either prepared by me or compiled under my direction and supervision.

  
BRIAN SITEK

STATE OF TEXAS                    )  
COUNTY OF Midland            )

SUBSCRIBED and SWORN to before me this 5 day of February 2019 by  
Brian Sitek.

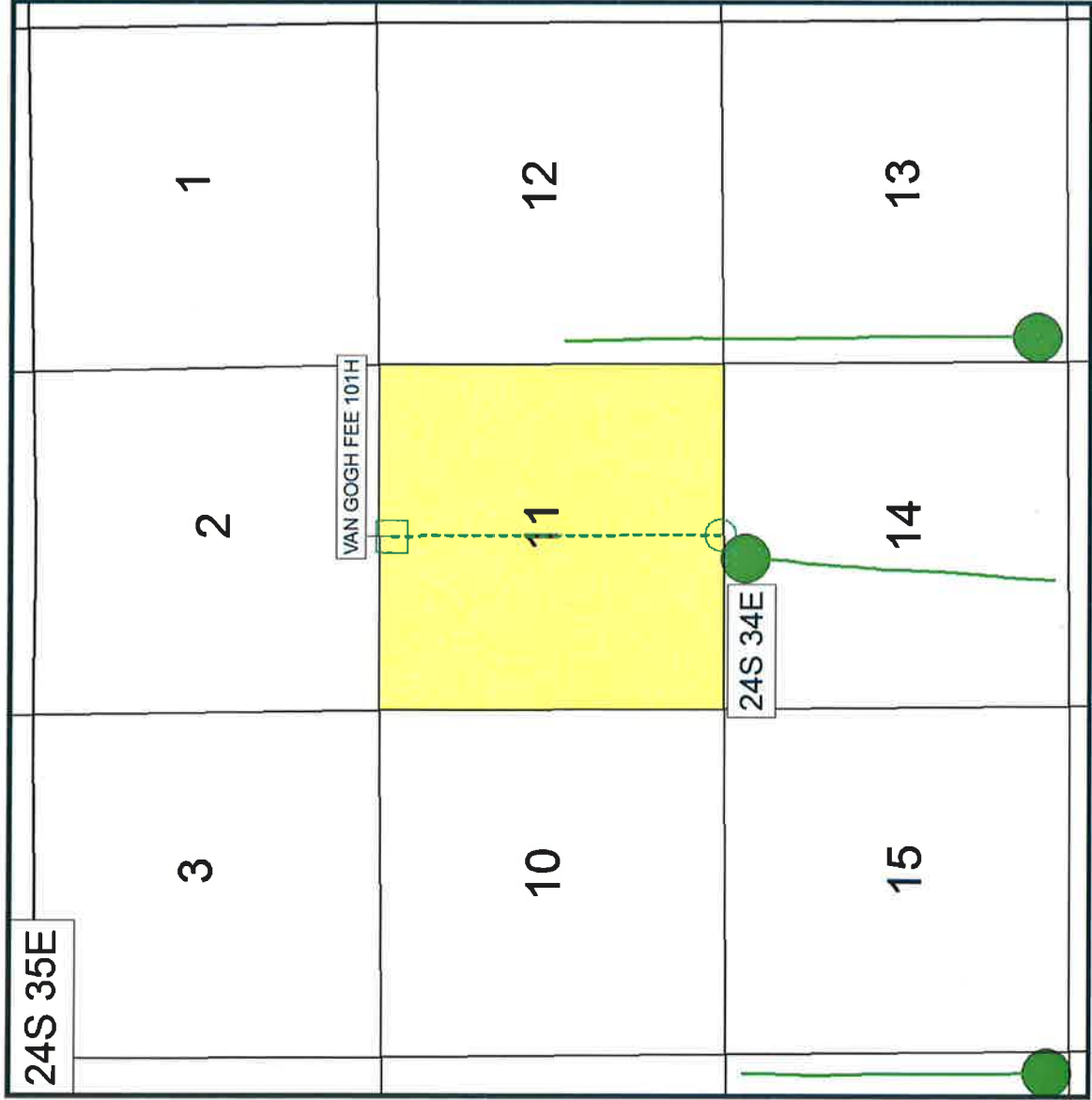
  
NOTARY PUBLIC

My Commission Expires:  
5-2-22



11989959\_1

# Bone Spring Pool Van Gogh 101H



Map Legend

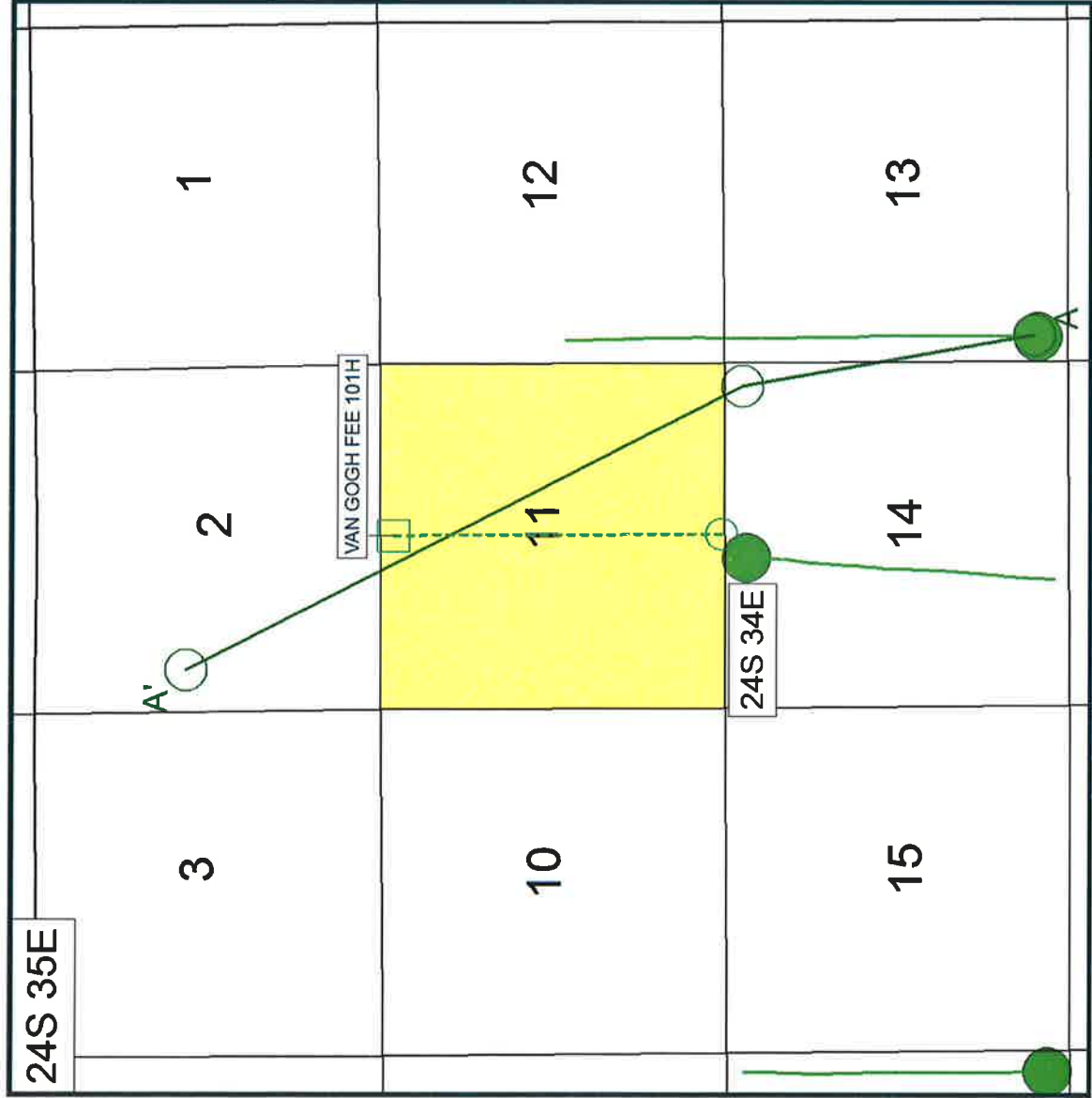
COG Upper Avalon Horizontal Location

Producing Upper Avalon Wells

COG Acreage

[illegible]

# Bone Spring Pool Van Gogh 101H



Map Legend

COG Upper Avalon Horizontal Location

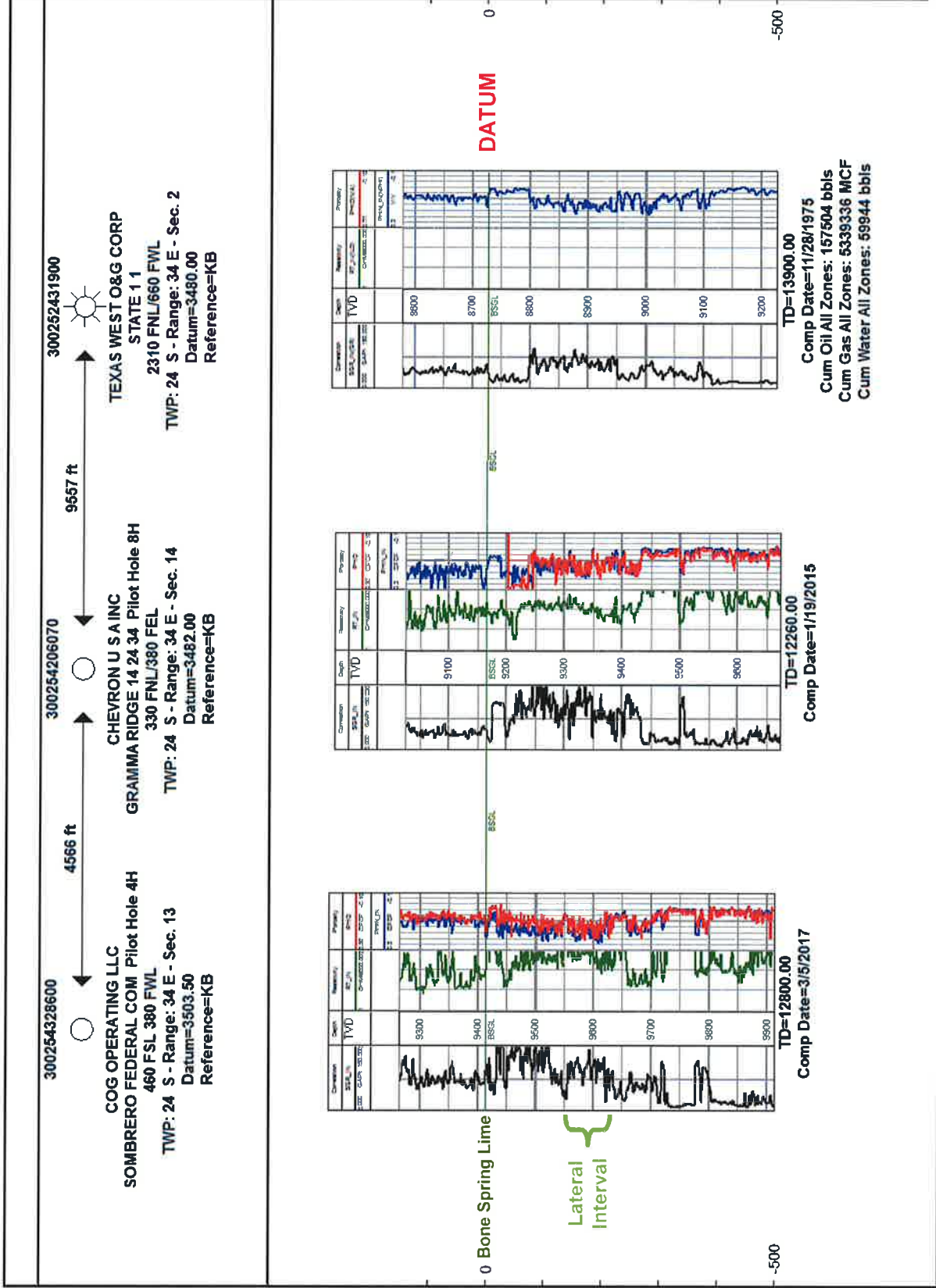
Producing Upper Avalon Wells

Cross Section Line

COG Acreage



# Stratigraphic Cross Section A – A'



BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico

Exhibit No. B-4

Submitted by: COG OPERATING, LLC  
Hearing Date: February 7, 2019  
Case No. 20224



**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. 20224**

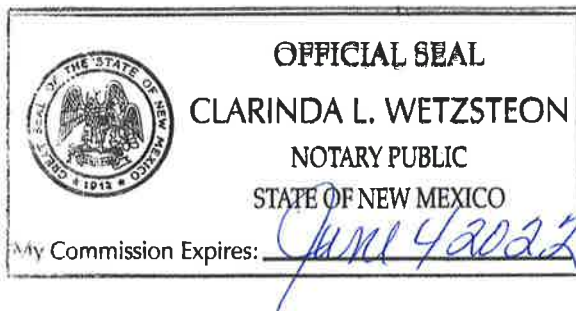
**AFFIDAVIT**

STATE OF NEW MEXICO    )  
  ) ss.  
COUNTY OF SANTA FE    )

Julia Broggi, attorney in fact and authorized representative of COG Operating, LLC the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application has been provided under the notice letter and proof of receipts attached hereto.

  
\_\_\_\_\_  
Julia Broggi

SUBSCRIBED AND SWORN to before me this 6th day of February 2019 by Julia Broggi.



  
\_\_\_\_\_  
Notary Public

HOLLAND & HART LLP



**Jordan L. Kessler**  
**Associate**  
**Phone** (505) 988-4421  
**Fax** (505) 983-6043  
jlkessler@hollandhart.com

January 18, 2019

**VIA CERTIFIED MAIL**  
**CERTIFIED RECEIPT REQUESTED**

**TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS**

**Re: Application of COG Operating LLC for compulsory pooling, Lea County,  
New Mexico.  
Van Gogh Fee #101H Well**

Ladies & Gentlemen:

This letter is to advise you that COG Operating LLC has filed the enclosed application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on February 7, 2019. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices, located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four business days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

If you have any questions about this matter, please contact Matt Solomon at (432) 685-4352 or MSolomon@concho.com.

Sincerely,

Jordan L. Kessler

**ATTORNEY FOR COG OPERATING LLC**



## Shipment Confirmation Acceptance Notice

### A. Mailer Action

**Note to Mailer:** The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

COG - Van Gogh  
CM # 51500.0010  
Notice List for 20190207 docket

Shipment Date: 01/14/2019

Shipped From:

Name: HOLLAND & HART LLP

Address: 110 N GUADALUPE ST # 1

City: SANTA FE

State: NM ZIP+4® 87501

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	11
Total	11

\*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

### B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.  
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0012 1720 39



# Firm Mailing Book For Accountable Mail

Name and Address of Sender		Check type of mail or service		Affix Stamp Here (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt.																					
USPS Tracking/Article Number		<input type="checkbox"/> Adult Signature Required <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery (COD) <input type="checkbox"/> Insured Mail <input type="checkbox"/> Priority Mail		Postage (Extra Service) Fee																					
Addressee (Name, Street, City, State, & ZIP Code™)		Actual Value if Registered		Insured Value		Due Sender if COD		ASR Fee		ASRD Fee		RD Fee		RR Fee		SC Fee		SORD Fee		SH Fee					
1.	9214 8901 9403 8377 3519 50	COG Operating LLC 600 W Illinois Ave Midland TX 79701		1.21		3.45		Handling Charge - if Registered and over \$50,000 in value				Adult Signature Required		Adult Signature Restricted Delivery		Restricted Delivery		Return Receipt		Signature Confirmation		Signature Confirmation Restricted Delivery		Special Handling	
2.	9214 8901 9403 8377 3519 67	Tap Rock Resources LLC 602 Park Point Drive suite 200 Golden CO 80401		1.21		3.45										1.50									
3.	9214 8901 9403 8377 3519 74	Marathon Oil Permian LLC 5555 San Felipe Street Houston TX 76102		1.21		3.45										1.50									
4.	9214 8901 9403 8377 3519 81	Energen Resources Corporation 605 Richard Arrington Jr Boulevard North Birmingham AL 35203		1.21		3.45										1.50									
5.	9214 8901 9403 8377 3519 98	Diamondback Energy Inc 500 West Texas Ave Suite 1200 Midland TX 79701		1.21		3.45										1.50									
6.	9214 8901 9403 8377 3520 01	Crown Oil Partners VI LLC PO BOX 50620 Midland TX 79710		1.21		3.45										1.50									
7.	9214 8901 9403 8377 3520 18	Crump Energy Partners III LLC PO BOX 50620 Midland TX 79710		1.21		3.45										1.50									
8.	9214 8901 9403 8377 3520 25	Devon Energy Production Co LP 333 W Sheridan Ave Oklahoma City OK 73102		1.21		3.45										1.50									
Total Number of Pieces Listed by Sender 11		Postmaster, Per (Name of receiving employee)																							



## Firm Mailing Book For Accountable Mail

[illegible]



## Shipment Confirmation Acceptance Notice

### A. Mailer Action

**Note to Mailer:** The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

COG - Van Gogh  
CM # 51500.0010  
Notice List for 20190207 docket

Shipment Date: 01/14/2019

Shipped From:

Name: HOLLAND & HART LLP

Address: 110 N GUADALUPE ST # 1

City: SANTA FE

State: NM ZIP+4® 87501

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	11
Total	11

\*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

### B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.  
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0012 1720 39



Firm Mailing Book For Accountable Mail

Name and Address of Sender Holland & Hart LLP 110 N Guadalupe St # 1 Santa Fe NM 87501		Check type of mail or service <input type="checkbox"/> Adult Signature Required <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery (COD) <input type="checkbox"/> Insured Mail <input type="checkbox"/> Priority Mail <input type="checkbox"/> Priority Mail Express <input type="checkbox"/> Registered Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Signature Confirmation Restricted Delivery										Affix Stamp Here (if issued as an international certificate of mailing or for additional copies of this receipt) <b>Postmark with Date of Receipt.</b>									
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee					
1. 9214 8901 9403 8377 3519 50		COG Operating LLC 600 W Illinois Ave Midland TX 79701		1.21	3.45	Handling Charge - if Registered and over \$50,000 in value							1.50								
2. 9214 8901 9403 8377 3519 67		Tap Rock Resources LLC 602 Park Point Drive suite 200 Golden CO 80401		1.21	3.45								1.50								
3. 9214 8901 9403 8377 3519 74		Marathon Oil Permian LLC 5555 San Felipe Street Houston TX 76102		1.21	3.45								1.50								
4. 9214 8901 9403 8377 3519 81		Energen Resources Corporation 605 Richard Arrington Jr Boulevard North Birmingham AL 35203		1.21	3.45						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling				
5. 9214 8901 9403 8377 3519 98		Diamondback Energy Inc 500 West Texas Ave Suite 1200 Midland TX 79701		1.21	3.45									1.50							
6. 9214 8901 9403 8377 3520 01		Crown Oil Partners VI LLC PO BOX 50820 Midland TX 79710		1.21	3.45								1.50								
7. 9214 8901 9403 8377 3520 18		Cump Energy Partners III LLC PO BOX 50820 Midland TX 79710		1.21	3.45								1.50								
8. 9214 8901 9403 8377 3520 25		Devon Energy Production Co LP 333 W Sheridan Ave Oklahoma City OK 73102		1.21	3.45								1.50								
Total Number of Pieces Listed by Sender 11		Postmaster, Per (Name of receiving employee)																			
PS Form 3877, April 2015 (Page 1 of 2)		Complete in Ink		Privacy Notice: For more information on USPS privacy policies, visit <a href="https://usps.com/privacypolicy">usps.com/privacypolicy</a> .																	





## Firm Mailing Book For Accountable Mail

[illegible]

## Pieces

Search for:

Go

Advanced

Between

01/07/2019

And

01/21/2019

Clear Job Filter: 92750901193562000012172039

Barcode	Recipient	Status	Custom	User / Profile	Location / Department	Job ID
9214890194038377351950	COG Operating LLC 600 W Illinois Ave Midland TX 79701	Delivered Signature Received	Ref#: C1167388.6708428 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738
9214890194038377351967	Tap Rock Resources LLC 602 Park Point Drive suite 200 Golden CO 80401	Delivered Signature Received	Ref#: C1167388.6708429 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738
9214890194038377351974	Marathon Oil Permian LLC 5555 San Felipe Street Houston TX 76102	Delivered Signature Received	Ref#: C1167388.6708430 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738

Barcode	Recipient	Status	Custom	User / Profile	Location / Department	Job ID
9214890194038377351981	Energen Resources Corporation 605 Richard Arrington Jr Boulevard North Birmingham AL 35203	Delivered Signature Received	Ref#: C1167388.6708431 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738
9214890194038377351998	Diamondback Energy Inc 500 West Texas Ave Suite 1200 Midland TX 79701	Delivered Signature Received	Ref#: C1167388.6708432 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738
9214890194038377352001	Crown Oil Partners VI LLC PO BOX 50820 Midland TX 79710	Delivered Signature Received	Ref#: C1167388.6708433 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738
9214890194038377352018	Crump Energy Partners III LLC PO BOX 50820 Midland TX 79710	Delivered Signature Received	Ref#: C1167388.6708434 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738

Barcode	Recipient	Status	Custom	User / Profile	Location / Department	Job ID
9214890194038377352025	Devon Energy Production Co LP 333 W Sheridan Ave Oklahoma City OK 73102	Delivered Signature Received	Ref#: C1167388.6708435 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738
9214890194038377352032	OneEnergy Partners Operating LLC 2929 Allen Parkway Suite 200 Houston TX 77019	Delivered Signature Received	Ref#: C1167388.6708436 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738
9214890194038377352049	Franklin Mountain Energy LLC 123 West Mills Avenue Suite 600 El Paso TX 79901	In-Transit	Ref#: C1167388.6708437 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738
9214890194038377352056	Foundation Minerals LLC 14241 Dallas Parkway Suite 600 Dallas TX 75254	Delivered Signature Received	Ref#: C1167388.6708438 RetRef#:	clwetzsteon@hollandhart.com Label 4 x 2.5 (flat)		116738

1

20

items per page

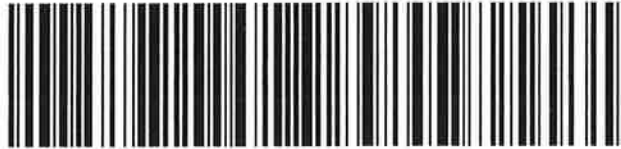
1 - 11 of 11 items

**Return address:**

HOLLAND & HART LLP  
P.O. BOX 2208  
SANTA FE, NM 87504-2208

**Recipient address:**

FRANKLIN MOUNTAIN ENERGY LLC  
123 WEST MILLS AVENUE SUITE 600  
EL PASO TX 79901

**USPS CERTIFIED MAIL**

9214 8901 9403 8377 3520 49

**USPS Tracking Label Number: 9214 8901 9403 8377 3520 49**

USPS Tracking History	Postal Facility	ZIP	Date	Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	SANTA FE,NM 87501		01/14/2019	12:55
SHIPMENT RECEIVED ACCEPTANCE PENDING	SANTA FE,NM 87501		01/18/2019	13:35
ORIGIN ACCEPTANCE	SANTA FE,NM 87501		01/18/2019	20:11
PROCESSED THROUGH USPS FACILITY	ALBUQUERQUE,NM 87101		01/18/2019	21:26
DEPART USPS FACILITY	ALBUQUERQUE,NM 87101		01/19/2019	03:28
PROCESSED THROUGH USPS FACILITY	EL PASO,TX 79910		01/19/2019	11:00
PROCESSED THROUGH USPS FACILITY	EL PASO,TX 79910		01/22/2019	01:52

CASE #:

# Affidavit of Publication

STATE OF NEW MEXICO  
COUNTY OF LEA

I, Daniel Russell, Publisher of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period of 1 issue(s).

Beginning with the issue dated  
January 24, 2019  
and ending with the issue dated  
January 24, 2019.



Publisher

Sworn and subscribed to before me this  
24th day of January 2019.

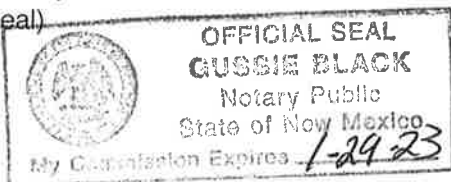


Business Manager

My commission expires

January 29, 2023

(Seal)



This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said

LEGAL NOTICE  
JANUARY 24, 2019

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

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on **February 7, 2019**, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appoint for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact: Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by **January 28, 2019**. Public documents, including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

**STATE OF NEW MEXICO TO:**  
All named parties and persons  
having any right, title, interest  
or claim in the following case  
and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

**To:** All overriding royalty interest owners and pooled parties, including: Tap Rock Resources LLC; Marathon Oil Permian LLC; Energen Resources Corporation; Diamondback Energy Inc; Crown Oil Partners VI LLC; Crump Energy Partners III LLC; Devon Energy Production Co LP; OneEnergy Partners Operating LLC; Franklin Mountain Energy LLC; Foundation Minerals LLC.

**Case No. 20224: Application of COG Operating LLC for compulsory pooling, Lea County, New Mexico.** Applicant in the above-styled cause seeks an order pooling all uncommitted interest owners in the Bone Spring formation underlying a 320-acre horizontal spacing unit comprised of the W/2E/2 and the E/2W/2 of Section 11, Township 24 South, Range 34 East, N.M.P.M., Lea County, New Mexico. The above-referenced unit will be dedicated to the proposed **Van Gogh Fee #101H Well**, which will be horizontally drilled from a surface location in the NW/4NE/4 (Unit B) to bottom hole location in the SW/4SE/4 (Unit O) of Section 11. Pursuant to NMAC 19.15.16.15(B)(1)(b), COG will incorporate the W/2E/2 and the E/2W/2 of Section 11 into its standard horizontal spacing unit. Incorporating the proximity tracts, the completed interval for **Van Gogh Fee #101H Well** will comply with the statewide setback requirements set forth in 19.15.16.15 NMAC. Also, to be considered will be the cost of drilling and completing the well, the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of COG Operating LLC as operator, and a 200% charge for risk involved in drilling and completing the well. Said area is located approximately 17 miles northwest of Jai, New Mexico.  
#33665

67100754

00223656

HOLLAND & HART LLC  
PO BOX 2208  
SANTA FE, NM 87504-2208

BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Exhibit No. D  
Submitted by: COG OPERATING, LLC  
Hearing Date: February 7, 2019  
Case No. 20224