

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

**APPLICATION OF COG OPERATING LLC
FOR APPROVAL OF THE TOMAHAWK UNIT,
ELIMINATION OF INTERNAL SETBACKS
WITHIN UNIT AREA, AND APPROVAL FOR SURFACE
COMMINGLING, EDDY COUNTY, NEW MEXICO.**

CASE NO. 20659

EOG RESOURCES, INC.'S PRE-HEARING STATEMENT

EOG Resources, Inc. ("EOG") submits this Pre-Hearing Statement for the above-referenced case pursuant to the rules of the Oil Conservation Division.

APPEARANCES

APPLICANT

COG Operating LLC

ATTORNEY

Elizabeth A. Ryan
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William F. Carr
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OPPONENT

EOG Resources, Inc.

ATTORNEY

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STATEMENT OF CASE

APPLICANT:

Applicant seeks an order approving its proposed Tomahawk Unit consisting of approximately 4,803.16 acres of federal, state, and fee lands located in all of Section

17, 18, 20, 29, 30, 31, 32 and E/2 of Section 19, T. 24S, R. 28 E, Eddy County, New Mexico.

The unitized interval includes from the top of the Wolfcamp down to and including the base of the Wolfcamp formation. However, Applicant seeks to establish separate north and south unit participating areas with divided ownership that is not authorized by law and is an attempt to circumvent BLM rules regarding exploratory units and New Mexico statutes and the Division's rules regarding compulsory pooling and unitization.

EOG opposes the application to protect its correlative rights and because unitization is unauthorized and unwarranted.

PROPOSED EVIDENCE

APPLICANT:

<u>WITNESS</u>	<u>ESTIMATED TIME</u>	<u>EXHIBITS</u>
Charles Moran – Landman	Approx. 15	Approx. 5
Michael Pickell – Geologist	Approx. 20	Approx. 4
Marielle Spinks – Engineer	Approx. 20	Approx. 5

PROCEDURAL MATTERS

EOG Resources, Inc. requests that this case be continued to the October 17, 2019 docket.

Respectfully submitted,

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

By: _____


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Attorneys for EOG Resources, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following counsel of record by electronic mail on August 15, 2019:

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