

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

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

Case No. _____

APPLICATION

COG Operating LLC ("COG") through its under-signed attorneys hereby file this application with the Oil Conservation Division pursuant to the provisions of NMSA 1978, Sec. 70-2-17, for an order (1) creating a 320-acre, more or less, horizontal spacing and proration unit comprised of the E/2W/2 of Sections 30 and 31, Township 25 South, Range 28 East, N.M.P.M., Eddy County, New Mexico; and (2) pooling all uncommitted interests in the Delaware River; Bone Spring [Pool Code: 16800]. In support of its Application, COG states:

1. COG (OGRID No. 229137) is a working interest owner in the proposed standard horizontal spacing and proration unit and has the right to drill a well thereon.
2. COG proposes to dedicate the above-referenced horizontal spacing and proration unit for its **Myox 31 State Com 503H** which will be horizontally drilled from a surface location in the SE/4SW/4 (Unit N) of Section 31 to a bottom hole location in NE/4NW/4 (Unit C) of Section 30;
3. The completed interval for these Wells will meet the 330-foot standard offset from the outer boundaries of the horizontal spacing unit and the first and last take points will remain within the 100-foot offset as required by the Statewide horizontal rules.

4. COG has sought in good faith and been unable to obtain voluntary agreement for the development of these lands from all of the working interest owners in the subject horizontal spacing unit.

5. The pooling of interests will avoid the drilling of unnecessary wells, will prevent waste, and will protect correlative rights.

6. COG requests an extension of the 120-day time period to drill and complete a well provided by the standard pooling order.

7. In order to permit COG to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted interests in this horizontal spacing unit should be pooled, and COG Operating LLC should be designated the operator of the proposed horizontal wells and horizontal spacing unit.

WHEREFORE, COG requests that, this Application be set for hearing before an Examiner of the Oil Conservation Division on January 9, 2020, and, after notice and hearing, the Division enter its order:

- A. Creating a 320-acre, more or less, standard horizontal spacing and proration unit in the Bone Spring Formation comprised of the E/2W/2 of Sections 30 and 31, Township 25 South, Range 28 East, N.M.P.M., Eddy County, New Mexico;
- B. Pooling all uncommitted interests in the Bone Spring Formation underlying the horizontal spacing and proration unit;
- C. Designating COG Operating LLC as the operator of the spacing unit and horizontal well to be drilled thereon;
- D. Providing an extension of the 120-day requirement to drill and complete a well;

- E. Authorizing COG to recover its costs of drilling, equipping, and completing the wells, and allocating its costs among the well's interest owners;
- F. Approving actual operating charges and costs charged for supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and
- G. Setting a 200% penalty for the risk assumed by COG in drilling and completing the wells against any working interest owner who does not voluntarily elect to participate in the drilling of the wells.

Respectfully submitted,

COG OPERATING LLC

By: 

Ocean Munds-Dry

William R. Carr

Elizabeth A. Ryan

Michael Rodriguez

1048 Paseo de Peralta

Santa Fe, New Mexico 87508

505-780-8000

omundsdry@concho.com

wcarr@concho.com

eryan@concho.com

mrodriguez@concho.com

ATTORNEYS FOR COG OPERATING LLC

Case No. _____: **Application of COG Operating LLC for Compulsory Pooling, Eddy County, New Mexico.** Applicant in the above styled cause seeks an order (1) creating a 320-acre, more or less, horizontal spacing and proration unit comprised of the E/2W/2 of Sections 30 and 31, Township 25 South, Range 28 East, Eddy County, New Mexico; and (2) pooling all uncommitted interests in the Bone Spring Formation. Said spacing unit shall be dedicated to the **Myox 31 State Com Well No. 503H** with a surface location in the SE/4SW/4 (Unit N) of Section 31 and a bottom hole location in NE/4NW/4 (Unit C) of Section 30. The completed interval and the first and last take points for these wells will remain within the standard offset required by the Rules. Also to be considered will be the cost of drilling and completing the wells and the allocation of the costs thereof, as well as actual operating costs and charges for supervision, designation of COG Operating LLC as operator of the wells, and a 200% penalty for risk involved in the drilling the wells. Said area is approximately 8 miles southwest of Malaga, New Mexico.