

**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. 21420**

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

**CASE NO. 21421**

**EOG RESOURCES, INC.'S CONSOLIDATED PRE-HEARING STATEMENT**

EOG Resources, Inc. ("EOG") hereby 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**

Ocean Munds-Dry  
Michael Rodriguez  
COG Operating LLC  
1048 Paseo de Peralta  
Santa Fe, New Mexico 87501

**INTERESTED PARTY**

EOG Resources, Inc.

**ATTORNEY**

Earl E. DeBrine, Jr.  
Deana M. Bennett  
Lance D. Hough  
MODRALL, SPERLING, ROEHL,  
HARRIS & SISK, P.A.  
P. O. Box 2168  
Albuquerque, New Mexico 87103-2168

**STATEMENT OF THE CASE**

In **Case No. 21420**, COG Operating LLC ("Concho") seeks an order from the division pooling all uncommitted interest owners in the Bone Spring formation underlying a standard 640-acre, more or less, horizontal spacing unit comprised of W/2 of Sections 26 and 35, Township 23 South,

Range 32 East, Lea County, New Mexico. Concho seeks to dedicate the above-referenced horizontal spacing unit to the following proposed wells:

- Bedlington Federal Com #201H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 26;
- Bedlington Federal Com #202H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NE/4NW/4 (Unit C) of Section 26;
- Bedlington Federal Com #301H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 26; Bedlington Federal Com #302H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 26;
- Bedlington Federal Com #303H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NE/4NW/4 (Unit C) of Section 26;
- Bedlington Federal Com #501H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 26;
- Bedlington Federal Com #502H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 26;
- Bedlington Federal Com #503H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NE/4NW/4 (Unit C) of Section 26.

In **Case No. 21421**, Concho seeks an order from the division pooling all uncommitted interest owners in the Bone Spring formation underlying a standard 640-acre, more or less, horizontal spacing unit comprised of W/2 of Sections 26 and 35, Township 23 South, Range 32 East, Lea County, New Mexico. Concho seeks to dedicate the above-referenced horizontal spacing unit to the following proposed wells:

- Bedlington Federal Com #701H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 26;
- Bedlington Federal Com #702H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NW/4NW/4 (Unit D) of Section 26;
- Bedlington Federal Com #703H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NE/4NW/4 (Unit C) of Section 26;
- Bedlington Federal Com #704H to be drilled from a surface hole location in SE/4SW/4 (Unit N) of Section 35 to a bottom hole location in the NE/4NW/4 (Unit C) of Section 26.

EOG, an opponent in this case filed by Concho, owns acreage in the proposed 640-acre spacing units that Concho seeks to force pool. EOG opposes Concho's applications in these cases

because an order pooling EOG's acreage to form a 640-acre spacing unit for Concho's proposed Bedlington wells violates EOG's correlative rights and causes waste.

### **PROPOSED EVIDENCE**

<u>WITNESS</u>	<u>ESTIMATED TIME</u>	<u>EXHIBITS</u>
Chloe Sawtelle – Landman	Approx. 20	Approx. 5
Denton O'Neal – Geologist	Approx. 30	Approx. 5
Carlos Sonka – Reservoir Engineer	Approx. 30	Approx. 5

### **PROCEDURAL MATTERS**

EOG is opposed to presentation of both of these cases by affidavit on September 10, 2020, and accordingly, these cases should be set for a status conference and subsequently continued to a contested case docket.

Respectfully submitted,

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

By: /s/ Earl E. DeBrine, Jr.

Earl E. DeBrine, Jr.  
Deana M. Bennett  
Lance D. Hough  
Post Office Box 2168  
500 Fourth Street NW, Suite 1000  
Albuquerque, New Mexico 87103-2168  
Telephone: 505.848.1800  
[edebrine@modrall.com](mailto:edebrine@modrall.com)  
[dmb@modrall.com](mailto:dmb@modrall.com)  
[ldh@modrall.com](mailto:ldh@modrall.com)

*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 September 3, 2020:

Ocean Munds-Dry  
Michael Rodriguez  
COG Operating LLC  
1048 Paseo de Peralta  
Santa Fe, New Mexico 87501  
(505) 780-8000  
omundsdry@concho.com  
mrodriguez@concho.com  
*Attorneys for COG Operating LLC*

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

By: /s/ Earl E. DeBrine, Jr.  
Earl E. DeBrine,

W3688451.DOCX