

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

IN THE MATTTTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION DIVISION FOR  
THE PURPOSE OF CONSIDERING:

CASE NOS. 21420, 21421

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

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS.

EXAMINER HEARING

THURSDAY, SEPTEMBER 10, 2020

SANTA FE, NEW MEXICO

This matter came on for hearing before the  
New Mexico Oil Conservation Division, Felicia Orth,  
Hearing Examiner, Scott Cox Technical Examiner, on  
Thursday, September 10, 2020 via Webex Virtual Event  
Platform

Reported by: Mary Therese Macfarlane  
New Mexico CCR NO. 122  
PAUL BACA COURT REPORTERS  
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1 A P P E A R A N C E S.

2 For the Applicant COG Operating, LLC:

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 4 COG Operating, LLC  
 5 1048 Paseo de Peralta  
 6 Santa Fe, NM 87501  
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7 For EOG Resources, Inc.:

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 9 Modrall Sperling.  
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12 C O N T E N T S

13	CASE NOS. 21420, 21421	PAGE
14	CALLED:	3
15	APPLICANT WITNESSES BY AFFIDAVIT:	
16	ADAM REKER (Landman)	4
17	JOHN BERTALOTT (Geologist)	4
18	TAKEN UNDER ADVISEMENT:	5

20 E X H I B I T I N D E X

21	APPLICANT COG OPERATING, LLC EXHIBITS	ADMITTED
22	1	5
23	2	5
24	3	5

25

1 (Time noted 9:21 a.m.)

2 HEARING EXAMINER ORTH: Let's move then to  
3 Matters 21420 and 21421. COG Operating is the Applicant.  
4 These are compulsory pooling applications. The well name  
5 is Bedlington.

6 Mr. Rodriguez, are you here for COG?

7 MR. RODRIGUEZ: Yes, Madam Examiner. Michael  
8 Rodriguez with COG Operating.

9 HEARING EXAMINER ORTH: Thank you. And we have  
10 an appearance by EOG. Ms. Bennett, are you here from  
11 Modrall, Sperling?

12 MR. HOUGH: Madam Examiner, this is Lance Hough  
13 from Modrall, Sperling appearing on behalf of COG  
14 Resources, Inc.

15 HEARING EXAMINER ORTH: Thank you, Mr. Hough.

16 Are there any other appearances this  
17 morning. No? All right.

18 I saw Prehearing Statements from both of  
19 you. I have a question as to whether this is a status  
20 conference this morning.

21 MR. HOUGH: Madam Examiner, this is Lance Hough.  
22 We did submit a Prehearing Statement last week but since  
23 then there has been a change in EOG's position. They are  
24 no longer opposed to a presentation by affidavit today.  
25 And I seek to (inaudible).

1           THE HEARING OFFICER: Okay. Your audio was  
2 breaking up just now. What I heard you say is that EOG  
3 has changed its position from its earlier prehearing  
4 statement and that you no longer oppose the presentation  
5 by affidavit.

6           MR. HOUGH: That's correct, Madam Examiner.

7           HEARING EXAMINER ORTH: Thank you.

8                     So, Mr. Rodriguez, if you would.

9           MR. RODRIGUEZ: Thank you. In Case Nos. 21420  
10 and 21421 -- I'm sorry. Did I request to have these cases  
11 consolidated?

12           HEARING EXAMINER ORTH: I called them as though  
13 they were, so I would say yes, they are.

14           MR. RODRIGUEZ: Great. I just wanted to make  
15 sure.

16                     Okay. So in Cases 21420 and 21421, COG  
17 Operating, LLC, is seeking to pool uncommitted interests  
18 in the Bone Spring and the Wolfcamp Formations, underlying  
19 a 640-acre horizontal spacing unit comprised of the west  
20 half of Sections 26 and 35, Township 23 South, Range 32  
21 East, Lea County, New Mexico.

22                     Both cases contain similar exhibit packets  
23 that include: The compulsory pooling checklist; the  
24 Application; Exhibit 1 being the landman's affidavit and  
25 related land attachments; Exhibit 2, which is the

1 geologist's affidavit and related geology attachments; and  
2 Exhibit 3, which is my affidavit and Notice of  
3 Publications reflecting that all those requirements have  
4 been met.

5 With that I would ask that these case  
6 packets be admitted into the record and the applications  
7 in Case 21420 and 21421 be taken under advisement.

8 HEARING EXAMINER ORTH: All right. Thank you,  
9 Mr. Rodriguez.

10 Mr. Hough; do you have questions at all?

11 MR. HOUGH: No questions, Madam Examiner.

12 HEARING EXAMINER ORTH: Thank you. Mr. Cox, do  
13 you have questions?

14 MR. COX: No questions, Madam Examiner. Thank  
15 you.

16 HEARING EXAMINER ORTH: All right. Thank you.

17 Mr. Rodriguez, your exhibits are admitted  
18 and these two matters will be taken under advisement.

19 MR. RODRIGUEZ: Thank you.

20 (Time noted 9:23 a.m.)

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1 STATE OF NEW MEXICO )  
2 : SS  
3 COUNTY OF TAOS )  
4

5 REPORTER'S CERTIFICATE

6 I, MARY THERESE MACFARLANE, New Mexico Reporter  
7 CCR No. 122, DO HEREBY CERTIFY that on Thursday, September  
8 10, 2020, the proceedings in the above-captioned matter  
9 were taken before me; that I did report in stenographic  
10 shorthand the proceedings set forth herein, and the  
11 foregoing pages are a true and correct transcription to  
12 the best of my ability and control.

13 I FURTHER CERTIFY that I am neither employed by  
14 nor related to nor contracted with (unless excepted by the  
15 rules) any of the parties or attorneys in this case, and  
16 that I have no interest whatsoever in the final  
17 disposition of this case in any court.

18 /s/ Mary Macfarlane  
19 \_\_\_\_\_

20 MARY THERESE MACFARLANE, CCR  
21 NM Certified Court Reporter No. 122  
22 License Expires: 12/31/2020  
23  
24  
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