

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

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

CASE NO. 21343

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

THURSDAY, AUGUST 20, 2020

SANTA FE, NEW MEXICO

This matter came on for hearing before the  
New Mexico Oil Conservation Division, FELICIA ORTH Hearing  
Examiner, and Technical Examiners SCOTT COX and DEAN  
McCLURE on Thursday, August 20, 2020, Via Webex Video  
conferencing

REPORTED BY: Mary Therese Macfarlane  
New Mexico CCR 122  
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1 A P P E A R A N C E S.

2 FOR THE APPLICANT: Michael Rodriguez, Esq.  
 3 COG Operating, LLC  
 4 1048 Paseo de Peralta  
 5 Santa Fe, NM 87501  
 (505) 780-8000  
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6 FOR MRC PERMIAN: James Bruce, ESQ.  
 7 Post Office Box 1056  
 8 Santa Fe, NM 87504  
 (505) 982-2043  
 jamesbruc@aol.com

9 FOR EOG RESOURCES: Lance Hough, Esq.  
 10 Modrall Sperling.  
 11 500 4th Street NW, Suite 1000  
 12 Albuquerque, NM L8710  
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 lance.hough@modrall.com

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14 I N D E X

15 CASE NUMBER 21343 CALLED	PAGE
16 ARGUMENT BY MR. RODRIGUEZ:	4
17 TAKEN UNDER ADVISEMENT:	6

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

20 (Note: No exhibits marked.)

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1 (Time noted 9:25 a.m.)

2 HEARING EXAMINER ORTH: Let's move then to case  
3 21343. This is still COG Operating is the Applicant,  
4 ompulsory pooling application for a well named Mamba.

5 Let's see. Is That you, Mr. Rodriguez, for  
6 the Applicant?

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

9 HEARING EXAMINER ORTH: All right. Thank you.

10 I see there are other parties here.

11 MRC Permian. Mr. Bruce, are you here for  
12 them?

13 MR. BRUCE: Yes, I am.

14 HEARING EXAMINER ORTH: All right. Thank you.  
15 And EOG Resources. Mr. Hough, are you here for Modrall  
16 Sperling for that?

17 MR. HOUGH: Uh-huh. That is correct, Madam  
18 Examiner.

19 HEARING EXAMINER ORTH: All right. Let me pause  
20 to see if there are any other appearances this morning.

21 All right. I hear no-one.

22 Are there -- I see that we've received  
23 COG's exhibits. Are there objections to Mr. Rodriguez  
24 proceeding by affidavit?

25 MR. HOUGH: No objection from EOG Resources.

1 HEARING EXAMINER ORTH: All right. Mr. Bruce?

2 Mr. Bruce? (Note: Pause.)

3 He's not muted. Mr. Bruce?

4 Well, I'm not hearing from him.

5 Mr. Rodriguez, do you have any  
6 understanding as to whether MRC Permian has objections to  
7 you proceeding by affidavit?

8 MR. RODRIGUEZ: I believe in Mr. Bruce's email  
9 notifying that he was putting in an entry of appearance,  
10 he just was doing so to preserve his right to appeal.

11 HEARING EXAMINER ORTH: All right. In that case  
12 if you would proceed.

13 MR. RODRIGUEZ: Thank you.

14 So in this case COG Operating, LLC, is  
15 seeking to pool all competing interests in the Wolfcamp  
16 Formation which is underlying a stated horizontal spacing  
17 unit, 767.94-acre horizontal spacing unit in the east half  
18 of Sections 24 and 25 and the east half of Irregular  
19 Section 36, Township 26 South, Range 28 East, in Eddy  
20 County, New Mexico

21 The case packet that was submitted to the  
22 Division contains the checklist, the compulsory pooling  
23 checklist; the Application; exhibit 1, which is the  
24 landman's affidavit and related to land attachments;  
25 Exhibit 2, which is the geologist's affidavit and related

1 geology attachments; and Exhibit 3, which is the Notice  
2 affidavit and Notice of Publication, which is reflecting  
3 that all Notice requirements have been met.

4 And with that I ask that this case be  
5 admitted into the record and the Application be taken  
6 under advisement.

7 HEARING EXAMINER ORTH: All right. Thank you.

8 We unmuted Mr. Hough. Mr. Hough, did you  
9 have any questions?

10 MR. HOUGH: No questions. Thank you.

11 HEARING EXAMINER ORTH: Thank you.

12 And Mr. Bruce, if you can hear me, do you  
13 have any questions?

14 MR. BRUCE: No objection to anything.

15 HEARING EXAMINER ORTH: All right. Thank you.

16 Let's turn to the technical examiners.

17 Mr. Cox, do you have any questions?

18 MR. COX: No questions. Thank you, Madam  
19 Examiner.

20 HEARING EXAMINER ORTH: And Mr. McClure.

21 MR. McCLURE: No, ma'am. I have no questions at  
22 this time.

23 HEARING EXAMINER ORTH: All right. Thank you  
24 very much.

25 Thank you, Mr. Rodriguez. The exhibits are

1     accepted and the matter will be taken under advisement.

2                 MR. RODRIGUEZ:   Thank you.

3                 (Time noted 9:29 a.m.)

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1 STATE OF NEW MEXICO ).  
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 3 COUNTY OF TAOS )  
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5 REPORTER'S CERTIFICATE

6 I, Mary Therese Macfarlane, a duly licensed  
 7 Certified Court Reporter for the State of New Mexico, do  
 8 hereby certify that on Thursday, August 20, 2020, the  
 9 proceedings in the above-captioned matter were taken  
 10 before me; that I did report in stenographic shorthand the  
 11 proceedings set forth herein, and the foregoing pages are  
 12 a true and correct transcription to the best of my ability  
 13 and control.

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

19 /s/ Mary Macfarlane  
 20 \_\_\_\_\_

21 Mary Therese Macfarlane, CCR  
 22 NM Certified court Reporter No. 122  
 23 License Expires: 12/31/2020  
 24  
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