

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. 21562

Application of COG Operating, Inc.  
to Pool Additional Interest Owners  
Under Order R-21442,  
Eddy County, New Mexico

REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, JANUARY 7, 2020

This matter came on for hearing before the  
New Mexico Oil Conservation Division, William  
Brancard, Hearing Examiner, Dylan Rose-Coss,  
Technical Examiner, Dean McClure, Technical Examiner,  
via Cisco Webex Virtual Meeting Platform

Reported by: Mary Therese Macfarlane  
New Mexico CCR No. 122  
PAUL BACA PROFESSIONAL COURT REPORTERS  
500 Fourth Street NW, Suite 105  
Albuquerque, New Mexico 87102.  
(505) 843-9241

1 A P P E A R A N C E S.

2 For the Applicant COG Operating, Inc.:

3 Michael Rodriguez, Esq.  
 4 COG Operating, LLC  
 1048 Paseo de Peralta  
 Santa Fe, NM 87501  
 5 (505) 780-8000  
 mrodriguez@concho.com  
 6

7 C O N T E N T S

8	CASE No. 21562	PAGE
9	CASE CALLED:	3
10	OPENING STATEMENT BY MR. RODRIGUEZ:	3.
11	INQUIRY BY EXAMINER ROSE-COSS:	5
12	TAKEN UNDER ADVISEMENT:	6

13

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

15	EXHIBIT	ADMITTED
16	1 landman's written testimony	6
17	2 Copy of Division Order R-21442	6
18	3 Land plat identifying additional overrides that COG seeks to pool	6
19	4 Sample Ratification Letter sent to all remaining overrides.	6
20	5 Notice of Affidavit and Affidavit of Publication	6

22

23

24

25

1 (Time noted 8:25 a.m.)

2 HEARING EXAMINER BRANCARD: I'll now call Case  
3 21562. Again this is COG Operating.

4 MR. RODRIGUEZ: Yes. Michael Rodriguez with COG  
5 Operating, LLC.

6 HEARING EXAMINER BRANCARD: Are there any other  
7 appearances in this case?

8 Hearing None, Mr. Rodriguez you may  
9 proceed.

10 MR. RODRIGUEZ: Thank you.

11 In Case No. 21562, COG seeks to pool  
12 additional overriding royalty interests under the terms of  
13 Division Order R-21442.

14 The Division entered Order No. 21442 in  
15 Case No. 21343 on September 3, 2020, creating a 767-acre  
16 standard horizontal spacing unit comprised of the east  
17 half of Sections 24 and 25 and east half of Irregular  
18 Section 36, Township 26 south, Range 28 East, Eddy County,  
19 New Mexico, and designated COG as the operator.

20 The Order further pooled all uncommitted  
21 admitted interests within the Purple Sage-Wolfcamp Gas  
22 Pool, underlying the unit and dedicated the unit to the  
23 Momba Fed. Com 701, 702 and 703 wells.

24 COG since identified additional mineral  
25 interest owners in the unit that have not been pooled

1 under the terms of the Order, and the exhibit packet  
2 submitted through the fee portal in this case includes:

3 The Application.

4 The Compulsory Reporting Checklist.

5 Exhibit 1, which is the landman's written  
6 testimony.

7 Exhibit 2 which is true and accurate copy  
8 of the Division Order R-21442.

9 Exhibit 3, which is a land plat identifying  
10 additional overrides that COG seeks to pool today.

11 Exhibit 4 is the sample ratification letter  
12 sent to all remaining overrides.

13 And Exhibit 5 my Notice of Affidavit and  
14 Affidavit of Publication reflecting all Notice  
15 requirements have been met.

16 And with that I ask that the case packet  
17 containing Exhibits 1 through 5 be admitted into the  
18 record and Case No. 21562 be taken under advisement.

19 HEARING EXAMINER BRANCARD: Are there any other  
20 comments from any other parties on this matter?

21 Hearing none, are there any questions or  
22 comments from the examiners?

23 EXAMINER ROSE-COSS: Good morning,  
24 Mr. Rodriguez. I just have -- can you briefly summarize  
25 the additional interest owners pooled, kind of a little

1 bit of a back story there?

2 MR. RODRIGUEZ: Yeah. It's just an updated  
3 title opinion where we found a few remaining overriding  
4 royalty interest owners. They are all exclusively  
5 overriding royalty interest owners and they have all been  
6 issued ratifications at this point.

7 EXAMINER ROSE-COSS: I notice in the exhibits,  
8 are they, uh, the parties pooled, listed in red?

9 MR. RODRIGUEZ: Yes, correct.

10 EXAMINER ROSE-COSS: Okay. Those are my only  
11 questions. Thank you, Mr. Rodriguez.

12 MR. RODRIGUEZ: Thank you.

13 EXAMINER McCLURE: I have no questions at this  
14 time.

15 HEARING EXAMINER BRANCARD: Thank you. Hearing  
16 none, the exhibits are admitted and Case No. 21562 will be  
17 taken under advisement.

18 MR. RODRIGUEZ: Thank you.

19 (Time noted 8:27 a.m.)

20

21

22

23

24

25

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,  
8     January 7, 2021, the proceedings in the above-captioned  
9     matter were taken before me; that I did report in  
10    stenographic shorthand the proceedings set forth herein,  
11    and the foregoing pages are a true and correct  
12    transcription to 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   \_\_\_\_\_  
21   Mary Therese Macfarlane, CCR  
  NM Certified Court Reporter No. 122  
  License Expires: 12/31/2021

22

23

24

25