



COG OPERATING LLC  
Atticus State Com 701H-706H  
Eddy County, New Mexico

Case Nos. 21911-21912  
Amend Orders R-21450 & 21451  
BEFORE THE OIL CONSERVATION DIVISION  
EXAMINER HEARING June 03, 2021



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

**APPLICATION OF COG OPERATING LLC  
TO AMEND ORDER NO. R-21450,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 21911**

**APPLICATION OF COG OPERATING LLC  
TO AMEND ORDER NO. R-21451,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 21912**

**TABLE OF CONTENTS**

- COG Exhibit A** – Applications of COG Operating, LLC to Amend Order Nos. R-21450-21451, Eddy County, New Mexico.
- COG Exhibit B** – Affidavit of Lizzy Laufer, Land
- COG Exhibit C** – Notice Affidavit
- COG Exhibit D** – Notice of Publication

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

**APPLICATION OF COG OPERATING LLC  
TO AMEND ORDER NO. R-21450,  
EDDY COUNTY, NEW MEXICO.**

CASE NO. 21911

**APPLICATION**

COG Operating LLC (“Applicant”) (OGRID No. 229137), through its undersigned attorneys, hereby files this application with the Oil Conservation Division to amend Order No. R-21450 (“Order”) to allow for an extension of time for drilling the proposed initial well under the Order. In support of its application, COG states:

1. Division Order No. R-21450, entered on September 3, 2020, in Case No. 21259, created a standard 960-acre, more or less, horizontal spacing unit comprised of the E/2 of Sections 24, 25, and 36, Township 25 South, Range 27 East, NMPM, Eddy County, New Mexico (the “Unit”), and designed COG as operator of the Unit.

2. The Order further pooled the uncommitted interests in the Wolfcamp formation in the Unit, and dedicated the unit to the proposed initial **Atticus State Com #701H well** (API No. 30-015-46869), the **Atticus State Com #702H well** (API No. 30-015-46873), and the **Atticus State Com #703H well** (API No. 30-015-46870).

3. Applicant requests that Order No. R-21450 be re-opened and amended to allow Applicant additional time to commence drilling the well under the Order.

4. There is good cause for Applicant’s request for an extension of time to drill. Specifically, the decline in commodity prices in 2020 caused by the global COVID pandemic and other economic factors led to COG reducing its rig count, thereby causing COG to delay its intended plans to develop the acreage subject to the Order.

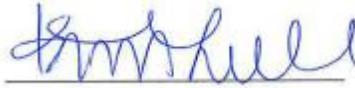
**BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Exhibit No. A  
Submitted by: COG OPERATING LLC  
Hearing Date: June 03, 2021  
Case Nos. 21911-21912**

5. Under the Order, Applicant would be required to commence drilling the well by September 3, 2021, and therefore, asks for the deadline to commence drilling the well be extended for a year, to September 3, 2022.

WHEREFORE, Applicant requests that this application be set for hearing before an Examiner of the Oil Conservation Division on June 3, 2021, and, after notice and hearing as required by law, the Division enter an order extending the time for COG to commence drilling the proposed initial well under the Order.

Respectfully submitted,

HOLLAND & HART LLP



By: \_\_\_\_\_

Michael H. Feldewert  
Adam G. Rankin  
Julia Broggi  
Kaitlyn A. Luck  
Post Office Box 2208  
Santa Fe, New Mexico 87504-2208  
(505) 988-4421  
(505) 983-6043 Facsimile  
mfeldewert@hollandhart.com  
agrarkin@hollandhart.com  
jbroggi@hollandhart.com  
kaluck@hollandhart.com

**ATTORNEYS FOR COG OPERATING LLC**

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

**APPLICATION OF COG OPERATING LLC  
TO AMEND ORDER NO. R-21451,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 21912**

**APPLICATION**

COG Operating LLC (“Applicant”) (OGRID No. 229137), through its undersigned attorneys, hereby files this application with the Oil Conservation Division to amend Order No. R-21451 (“Order”) to allow for an extension of time for drilling the proposed initial well under the Order. In support of its application, COG states:

1. Division Order No. R-21451, entered on September 3, 2020, in Case No. 21259, created a standard 960-acre, more or less, horizontal spacing unit comprised of the W/2 of Sections 24, 25, and 36, Township 25 South, Range 27 East, NMPM, Eddy County, New Mexico (the “Unit”), and designed COG as operator of the Unit.

2. The Order further pooled the uncommitted interests in the Wolfcamp formation in the Unit, and dedicated the unit to the proposed initial **Atticus State Com #704H well** (API No. 30-015-46871), the **Atticus State Com #705H well** (API No. 30-015-46872), and the **Atticus State Com #706H well** (API No. 30-015-46875).

3. Applicant requests that Order No. R-21451 be re-opened and amended to allow Applicant additional time to commence drilling the well under the Order.

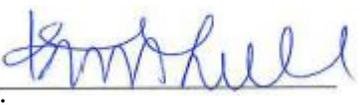
4. There is good cause for Applicant’s request for an extension of time to drill. Specifically, the decline in commodity prices in 2020 caused by the global COVID pandemic and other economic factors led to COG reducing its rig count, thereby causing COG to delay its intended plans to develop the acreage subject to the Order.

5. Under the Order, Applicant would be required to commence drilling the well by September 3, 2021, and therefore, asks for the deadline to commence drilling the well be extended for a year, to September 3, 2022.

WHEREFORE, Applicant requests that this application be set for hearing before an Examiner of the Oil Conservation Division on June 3, 2021, and, after notice and hearing as required by law, the Division enter an order extending the time for COG to commence drilling the proposed initial well under the Order.

Respectfully submitted,

HOLLAND & HART LLP

By.   
\_\_\_\_\_  
Michael H. Feldewert  
Adam G. Rankin  
Julia Broggi  
Kaitlyn A. Luck  
Post Office Box 2208  
Santa Fe, New Mexico 87504-2208  
(505) 988-4421  
(505) 983-6043 Facsimile  
mfeldewert@hollandhart.com  
agrarkin@hollandhart.com  
jbroggi@hollandhart.com  
kaluck@hollandhart.com

ATTORNEYS FOR COG OPERATING LLC

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

**APPLICATION OF COG OPERATING LLC  
TO AMEND ORDER NO. R-21450,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 21911**

**APPLICATION OF COG OPERATING LLC  
TO AMEND ORDER NO. R-21451,  
EDDY COUNTY, NEW MEXICO.**

**CASE NO. 21912**

**SECOND AFFIDAVIT OF LIZZY LAUFER, LAND**

Lizzy Laufer, of lawful age and being first duly sworn, declares as follows:

1. My name is Lizzy Laufer, and I am employed by COG Operating LLC (“COG”) as a Landman.
2. I have previously testified before the New Mexico Oil Conservation Division as an expert witness in petroleum land matters. My credentials as a petroleum land manager have been accepted by the Division and made a matter of record.
3. I am familiar with the applications filed by COG these consolidated matters and the status of the lands in the subject area.
4. None of the pooled parties has indicated opposition to this extension application, and therefore I do not expect any opposition at the hearing
5. In **Case No. 21911**, COG seeks to amend Order No. R-21450 to allow for an extension of time for drilling the proposed initial well under the Order. Division Order No. R-21450, entered on September 3, 2020, in Case No. 21259, created a standard 960-acre, more or less, horizontal spacing unit comprised of the E/2 of Sections 24, 25, and

**BEFORE THE OIL CONSERVATION DIVISION  
Santa Fe, New Mexico  
Exhibit No. B  
Submitted by: COG OPERATING LLC  
Hearing Date: June 03, 2021  
Case Nos. 21911-21912**

36, Township 25 South, Range 27 East, NMPM, Eddy County, New Mexico (the “Unit”), and designed COG as operator of the Unit.

6. The Order further pooled the uncommitted interests in the Wolfcamp formation in the Unit, and dedicated the unit to the proposed initial **Atticus State Com #701H well** (API No. 30-015-46869), the **Atticus State Com #702H well** (API No. 30-015-46873), and the **Atticus State Com #703H well** (API No. 30-015-46870).

7. In **Case No. 21912**, COG seeks to amend Order No. R-21451 to allow for an extension of time for drilling the proposed initial well under the Order. Division Order No. R-21451, entered on September 3, 2020, in Case No. 21260, created a standard 960-acre, more or less, horizontal spacing unit comprised of the W/2 of Sections 24, 25, and 36, Township 25 South, Range 27 East, NMPM, Eddy County, New Mexico (the “Unit”), and designed COG as operator of the Unit.

8. Order No. R-21451 further pooled the uncommitted interests in the Wolfcamp formation in the Unit, and dedicated the unit to the proposed initial **Atticus State Com #704H well** (API No. 30-015-46871), the **Atticus State Com #705H well** (API No. 30-015-46872), and the **Atticus State Com #706H well** (API No. 30-015-46875).

9. COG’s change in management, as well as the decline in commodity prices in 2020 caused by the global COVID pandemic and other economic factors, led COG to delay its intended plans to develop the acreage subject to the Orders.

10. The Orders required drilling to commence within a year, by September 3, 2021.

11. COG has not yet commenced drilling the wells as required by Order Nos. R-21450 and 21451 but anticipates drilling within the next year.

12. COG therefore requests that the deadline to commence drilling under the pooling orders be extended for a year until September 3, 2022.

13. COG provided our outside counsel, Holland and Hart, with a list of the working interest owners that remain subject to each pooling order and instructed them to provide notice of this hearing to these pooled working interest owners.

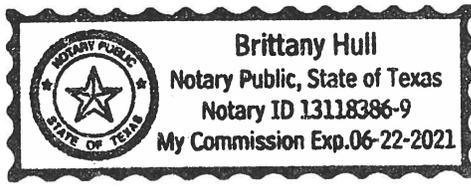
14. None of the working interest owners that remain subject to these pooling orders have been asked at this time to make an election on the wells, or to pay their estimated share of the costs to drill, complete and equip the wells.

FURTHER AFFIANT SAYETH NOT.

E. Laufer  
LIZZY LAUFER

STATE OF TEXAS            )  
  )  
COUNTY OF MIDLAND    )

SUBSCRIBED and SWORN to before me this 26 day of May 2021 by  
Lizzy Laufer.



Brittany Hull  
NOTARY PUBLIC

My Commission Expires:  
6.22.21





**Adam G. Rankin**  
Phone (505) 988-4421  
Fax (505) 983-6043  
agrarkin@hollandhart.com

May 14, 2021

**VIA CERTIFIED MAIL**  
**CERTIFIED RECEIPT REQUESTED**

**TO: ALL POOLED WORKING INTEREST OWNERS**

**Re: Application of COG Operating LLC to Amend Order No. R-21450, Eddy County, New Mexico.**  
**Atticus State Com #701H, #702H, #703H wells**

Ladies & Gentlemen:

This letter is to advise you that COG Operating LLC has filed the enclosed application with the New Mexico Oil Conservation Division.

**During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on June 3, 2021, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <http://www.emnrd.state.nm.us/OCD/announcements.html>.**

You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date. Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four business days in advance of a scheduled hearing. This statement must be filed online or in person at the Division's Santa Fe office and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

If you have any questions about this matter, please contact Lizzy Laufer at (432) 221-0470 or [Lizzy.Laufer@conocophillips.com](mailto:Lizzy.Laufer@conocophillips.com).

Sincerely,

Adam G. Rankin  
**ATTORNEY FOR COG OPERATING LLC**

T 505.988.4421 F 505.983.6043

110 North Guadalupe, Suite 1, Santa Fe, NM 87501-1849

Mail to: P.O. Box 2208, Santa Fe, NM 87504-2208

[www.hollandhart.com](http://www.hollandhart.com)

Alaska  
Colorado  
Idaho

Montana  
Nevada  
New Mexico

Utah  
Washington, D.C.  
Wyoming



**Adam G. Rankin**  
Phone (505) 988-4421  
Fax (505) 983-6043  
agrankin@hollandhart.com

May 14, 2021

**VIA CERTIFIED MAIL**  
**CERTIFIED RECEIPT REQUESTED**

**TO: ALL POOLED WORKING INTEREST OWNERS**

**Re: Application of COG Operating LLC to Amend Order No. R-21451, Eddy County, New Mexico.**  
**Atticus State Com #704H, #705H, #706H wells**

Ladies & Gentlemen:

This letter is to advise you that COG Operating LLC has filed the enclosed application with the New Mexico Oil Conservation Division.

**During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on June 3, 2021, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <http://www.emnrd.state.nm.us/OCD/announcements.html>.**

You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date. Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four business days in advance of a scheduled hearing. This statement must be filed online or in person at the Division’s Santa Fe office and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

If you have any questions about this matter, please contact Lizzy Laufer at (432) 221-0470 or [Lizzy.Laufer@conocophillips.com](mailto:Lizzy.Laufer@conocophillips.com).

Sincerely,

**Adam G. Rankin**  
**ATTORNEY FOR COG OPERATING LLC**

COG - Atticus 701H-706H Order R21450  
Case No. 21911-21912 Postal Delivery Reports

TrackingNo	ToName	DeliveryAddress	City	State	Zip	USPS_Status
9414811898765893374300	Devon Energy Production Company, L.P.	333 W Sheridan Ave	Oklahoma City	OK	73102-5010	Your item was delivered at 9:09 am on May 17, 2021 in OKLAHOMA CITY, OK 73102.
9414811898765893374393	Chevron U.S.A. Inc	6301 Deauville	Midland	TX	79706-2964	Your package will arrive later than expected, but is still on its way. It is currently in transit to the next facility.
9414811898765893374348	Read & Stevens, Inc.	PO Box 1518	Roswell	NM	88202-1518	Your item was delivered at 9:32 am on May 18, 2021 in ROSWELL, NM 88201.

**Affidavit of Publication**

Ad # 0004737767

**This is not an invoice**

**HOLLAND AND HART**  
POBOX 2208

**SANTA FE, NM 87504**

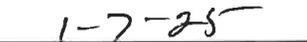
I, a legal clerk of the **Carlsbad Current Argus**, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

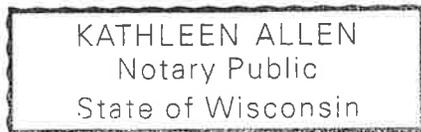
**05/18/2021**

  
Legal Clerk

Subscribed and sworn before me this May 18, 2021:

  
State of WI, County of Brown  
NOTARY PUBLIC

  
My commission expires



Ad # 0004737767  
PO #: NOP- COG Atticus 701H  
# of Affidavits 1

**This is not an invoice**

**BEFORE THE OIL CONSERVATION DIVISION**  
Santa Fe, New Mexico  
Exhibit No. D  
Submitted by: COG OPERATING LLC  
Hearing Date: June 03, 2021  
Case Nos. 21911-21912

STATE OF NEW MEXICO  
ENERGY, MINERALS AND  
NATURAL RESOURCES DEPART-  
MENT  
OIL CONSERVATION DIVISION  
SANTA FE, NEW MEXICO

The State of New Mexico, Energy Minerals and Natural Resources Department, Oil Conservation Division ("Division") hereby gives notice that the Division will hold public hearings before a hearing examiner on the following case. During the COVID-19 Public Health Emergency, state buildings are closed to the public and Division hearings will be conducted remotely. The public hearing for the following case will be electronic and conducted remotely. The hearing will be conducted on Thursday, June 3, 2021, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted below. The docket may be viewed at <http://www.emnrd.state.nm.us/OCD/hearings.html> or obtained from Marlene Salvidrez, at [Marlene.Salvidrez@state.nm.us](mailto:Marlene.Salvidrez@state.nm.us). Documents filed in the case may be viewed at <http://ocdimage.emnrd.state.nm.us/imaging/CaseFileCriteria.aspx>. If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in a hearing, contact Marlene Salvidrez at [Marlene.Salvidrez@state.nm.us](mailto:Marlene.Salvidrez@state.nm.us), or the New Mexico Relay Network at 1-800-659-1779, no later than May 23, 2021.

Persons may view and participate in the hearings through the following link:

<https://nmemnrd.webex.com/nmemnrd/onstage/g.php?MTID=ec1d641c6ace40cc7558b1e0da816030e>  
Event number: 187 817 6036  
Event password: 9i7hAhEhgh5

Join by video: 1878176036@nmemnrd.webex.com  
Numeric Password: 235514  
You can also dial 173.243.2.68 and enter your meeting number

Join by audio: 1-844-992-4726  
United States Toll Free  
Access code: 187 817 6036

STATE OF NEW MEXICO TO:  
All named parties and persons  
having any right, title, interest  
or claim in the following case  
and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

To: All overriding royalty interest owners and pooled parties, including: Devon Energy Production Company, L.P.; Chevron U.S.A. Inc; and Read & Stevens, Inc.

Case No. 21911:  
Application of COG Operating LLC to Amend Order No. R-21450, Eddy County, New Mexico. Applicant in the above-styled cause seeks a year extension of time to drill the well under Order No. R-21450. The Unit is comprised of the E/2 of Sections 24, 25, and 36, Township 25 South, Range 27 East, NMPM, Eddy County, New Mexico. Order No. R-21450 pooled the uncommitted interests in the Wolfcamp formation and dedicated the Unit to the Atticus State Com #701H well (API No. 30-015-46869), the Atticus State Com #702H well (API No. 30-015-46873), and the Atticus State Com #703H well (API No. 30-015-46870). Said area is located approximately 8 miles

south of Malaga, New Mexico.  
#4737767, Current Argus, May  
18, 2021

**Affidavit of Publication**

Ad # 0004737793

**This is not an invoice**

**HOLLAND AND HART**  
POBOX 2208

**SANTA FE, NM 87504**

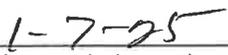
I, a legal clerk of the **Carlsbad Current Argus**, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof on the date as follows, to wit:

**05/18/2021**

  
Legal Clerk

Subscribed and sworn before me this May 18, 2021:

  
State of WI, County of Brown  
NOTARY PUBLIC

  
My commission expires

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

Ad # 0004737793  
PO #: NOP-COG Atticus 704H  
# of Affidavits 1

**This is not an invoice**

STATE OF NEW MEXICO  
ENERGY, MINERALS AND  
NATURAL RESOURCES DEPART-  
MENT  
OIL CONSERVATION DIVISION  
SANTA FE, NEW MEXICO

The State of New Mexico, Energy Minerals and Natural Resources Department, Oil Conservation Division ("Division") hereby gives notice that the Division will hold public hearings before a hearing examiner on the following case. During the COVID-19 Public Health Emergency, state buildings are closed to the public and Division hearings will be conducted remotely. The public hearing for the following case will be electronic and conducted remotely. The hearing will be conducted on Thursday, June 3, 2021, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted below. The docket may be viewed at <http://www.emnrd.state.nm.us/OCD/hearings.html> or obtained from Marlene Salvidrez, at Marlene.Salvidrez@state.nm.us. Documents filed in the case may be viewed at <http://ocdimage.emnrd.state.nm.us/imaging/CaseFileCriteria.aspx>. If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in a hearing, contact Marlene Salvidrez at Marlene.Salvidrez@state.nm.us, or the New Mexico Relay Network at 1-800-659-1779, no later than May 23, 2021.

Persons may view and participate in the hearings through the following link:

<https://nmemnrd.webex.com/nmemnrd/onstage/g.php?MTID=ec1d641c6ace40cc7558b1e0da816030e>  
Event number: 187 817 6036  
Event password: 9i7hAhEhqh5

Join by video: 1878176036@nmemnrd.webex.com  
Numeric Password: 235514  
You can also dial 173.243.2.68 and enter your meeting number

Join by audio: 1-844-992-4726  
United States Toll Free  
Access code: 187 817 6036

**STATE OF NEW MEXICO TO:**  
All named parties and persons having any right, title, interest or claim in the following case and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

To: All overriding royalty interest owners and pooled parties, including: Devon Energy Production Company, L.P.; Chevron U.S.A. Inc; and Read & Stevens, Inc.

Case No. 21912:  
Application of COG Operating LLC to Amend Order No. R-21451, Eddy County, New Mexico. Applicant in the above-styled cause seeks a year extension of time to drill the well under Order No. R-21451. The Unit is comprised of the W/2 of Sections 24, 25, and 36, Township 25 South, Range 27 East, NMPM, Eddy County, New Mexico. Order No. R-21451 pooled the uncommitted interests in the Wolfcamp formation and dedicated the Unit to the Atticus State Com #704H well (API No. 30-015-46871), the Atticus State Com #705H well (API No. 30-015-46872), and the Atticus State Com #706H well (API No. 30-015-46875). Said area is located approximately 8 miles

south of Malaga, New Mexico.  
#4737793, Current Argus, May  
18, 2021