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

IN THE MATTER OF THE APPLICATION OF COG OPERATING LLC FOR VERTICAL EXTENSION OF THE GRAYBURG-JACKSON (SEVEN RIVERS-QUEEN-GRAYBURG-SAN ANDRES) POOL TO CORRESPOND WITH THE UNITIZED FORMATION OF THE BURCH-KEELY UNIT, EDDY COUNTY, NEW MEXICO

CASE NO. 14577

AFFIDAVIT OF NOTICE

STATE OF NEW MEXICO)) ss. COUNTY OF SANTA FE)

J. SCOTT HALL, attorney and authorized representative of COG Operating LLC, the Applicant herein, being first duly sworn, upon oath, states that the notice provisions of Rule 19.15.4.12 of the New Mexico Oil Conservation Division have been complied with, that Applicant has caused to be conducted a good-faith, diligent effort to find the correct addresses of all interested persons entitled to receive notice, as shown by Exhibit "A" attached hereto, and that pursuant to Rule 19.15.4.12, notice has been given at the correct addresses or last known addresses provided by such rule.

1. Swy dal

J SCOTT HALL

SUBSCRIBED AND SWORN to before me this 5TH day of January, 2011.

My Commission Expires: 11/26/2011

{00242364-1}

OCC COG Exhibit 14 Case Nos. 14558 and 14577

EXHIBIT A

Anadarko Petroleum Corp. 1201 Lake Robbins Drive The Woodlands, TX 77380

Burnett Oil Co., Inc. 801 Cherry St. Unit 9 Fort Worth, EX 76102

CBS Operating Corporation P.O. Box 2236 Midland, TX 79702

Cimarex Energy Company 600 N. Marienfeld, Suite 600 Mídland, TX 79701

Conoco Philips Co. 3300 N. A Street, Bldg 5 Midland, TX 79705

EnerVest Operating LLC 1001 Fannin St., Suite 800 Houton, TX 77002

EOG Resources, Inc. P.O. Box 2267 Midland, TX 79702

Lobos Energy Partners 3817 NW Expressway Suite 950 Oklahoma City, OK 73112

Pioneer Natural Resources USA Inx. P.O. Box 3178 Midland, TX 79702

Mr. Don Peterson Assistant Field Manager Bureau of Land Management 620 E. Greene Carlsbad NM 88220-6292

{00242364-1}

Notice of Affidavit Exhibit A (page 2)

NMOCD Case No. 14577 COG Operating LLC

Southern Bay Energy LLC 110 Cypress Station Dr., #220 Houston, TX 77090

Southwest Royalties, Inc. C/o Clayton Williams Energy, Inc. 6 Desta Drive, Suite 3000 Midland, TX 79705

Tandem Energy Corp. 200 N. Loraine Street, Ste 400 Midland, TX 79701

{00242364-1}

November 24, 2010: Original Notice Letters Sent

December 16, 2010: Corrected Notice Letters Sent To:

Southwest Royalties

ConocoPhillips

Tandem Energy

Anadarko

Return Receipts Received from all parties <u>except</u>:

Tandem Energy

Anadarko



December 16, 2010

Anadarko Petroleum Corp. 1201 Lake Robbins Drive The Woodlands, TX 77380 Certified Mail/ Return Receipt Requested

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

Dear Sir or Madam:

This will advise that COG Operating LLC has filed an Application with the New Mexico Oil Conservation Division for an order amending Division Order No. R-10067 to extend the vertical limits of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Andres) Pool to a depth of 5,000 feet to correspond with the proposed extension of the Unitized Formation of the Burch-Keely Unit. The pool and unit area are comprised of the following lands:

TOWNSHIP 17 SOUTH, RANGE 29 EAST, NMPM

Section 12: SE/4 SE/4 Section 13: All Section 23 through 26: All

TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM

All

Sections 18 and 19: All Section 30:

A copy of the Application for hearing is enclosed.

REPLY TO:

325 Paseo de Peralta Santa Fe, New Mexico 87501 Telephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

Anadarko Petroleum Corp. December 16, 2010 Page 2

This Application will be set for hearing before a Division Examiner on January 6, 2011, at 8:15 a.m. at the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time. If you intend to attend the hearing and present testimony or evidence, you must enter your appearance and serve the Division, counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 19.15.4.13.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

1. I win thall

J. Scott Hall

JSH:kw Enclosure



December 16, 2010

ConocoPhillips Co. 3300 N. A Street, Bldg. 5. Midland, TX 79705 Certified Mail/ Return Receipt Requested

Attn: Mr. Tom Atkins

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

1. I wy dall

J. Scott Hall

JSH:kw Enclosure



December 16, 2010

Southwest Royalties, Inc. c/o Clayton Williams Energy, Inc. 6 Desta Drive, Suite 3000 Midland, TX 79705 Certified Mail/ Return Receipt Requested

Attn: Greg Wellborn

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

Dear Mr. Wellborn:

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH:kw Enclosure



December 16, 2010

Tandem Energy Corp. 200 N. Loraine Street, Ste 400 Midland, TX 79701 Certified Mail/ Return Receipt Requested

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH:kw Enclosure

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J. SCOTT HALL

Cell: (505) 670-7362 Email: shall@montand.com Reply To: Santa Fe Office www.montand.com

January 7, 2011

HAND DELIVERED

Ernest L. Padilla, Esq. Padilla Law Firm PA 1512 S. St. Francis Drive Santa Fe, NM 87505-4040

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson Pool, Eddy County, New Mexico

Dear Ernie:

Enclosed is a Supplemental Affidavit of Service in the above-referenced matter. I will leave it to you to deliver these materials to the hearing examiner and obtain their admission into the record.

Sorry for the inconvenience. My assistant was out on Wednesday and I was unable to locate these materials in time.

Very truly yours,

1. Juan la

J. Scott Hall

JSH:kw Enclosure

EPLY TO:

25 Paseo de Peralta Santa Fe, New Mexico 87501 Telephone (505) 982-3873 • Fax (505) 982-4289

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

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SUPPLEMENTAL AFFIDAVIT OF NOTICE

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J. SCOTT HALL, attorney and authorized representative of COG Operating LLC, the Applicant herein, being first duly sworn, upon oath, states that the notice provisions of Rule 19.15.4.12 of the New Mexico Oil Conservation Division have been complied with, that Applicant has caused to be conducted a good-faith, diligent effort to find the correct addresses of all interested persons entitled to receive notice, as shown by Exhibit "A" attached hereto, and that pursuant to Rule 19.15.4.12, notice has been given at the correct addresses or last known addresses provided by such rule.

1. I win da

J. SCOTT HALI

BSCRIBED AND SWORN to before me this 6th day of January, 2011. Motary Public mission Expires:

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Mr. Don Peterson Assistant Field Manager Bureau of Land Management 620 E. Greene Carlsbad NM 88220-6292

EXHIBIT A (Cont.)

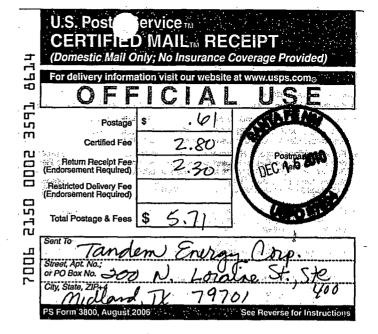
Southern Bay Energy LLC 110 Cypress Station Dr., #220 Houston, TX 77090

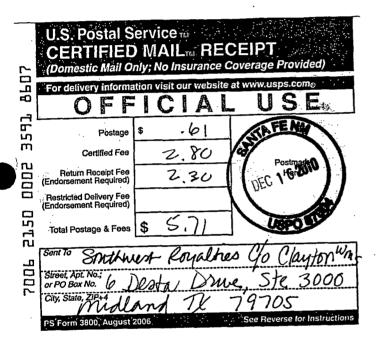
Southwest Royalties, Inc. C/o Clayton Williams Energy, Inc. 6 Desta Drive, Suite 3000 Midland, TX 79705

Tandem Energy Corp. 200 N. Loraine Street, Ste 400 Midland, TX 79701

Hunt Oil Company 1445 Ross Avenue, Suite 1400 Dallas, TX 75202-2703

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December 16, 2010

ConocoPhillips Co. 3300 N. A Street, Bldg. 5 Midland, TX 79705 Certified Mail/ Return Receipt Requested

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ConocoPhillips Co. December 16, 2010 Page 2

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM

All

Sections 18 and 19: All Section 30:

A copy of the Application for hearing is enclosed.

PLY TO: 5 Paseo de Peralta Santa Fe, New Mexico 87501 Telephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

Anadarko Petroleum Corp. December 16, 2010 Page 2

This Application will be set for hearing before a Division Examiner on January 6, 2011, at 8:15 a.m. at the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time. If you intend to attend the hearing and present testimony or evidence, you must enter your appearance and serve the Division, counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 19.15.4.13.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

I very thall へ

J. Scott Hall

JSH:kw Enclosure



December 16, 2010

Southwest Royalties, Inc. c/o Clayton Williams Energy, Inc. 6 Desta Drive, Suite 3000 Midland, TX 79705

Certified Mail/ **Return Receipt Requested**

Attn: Greg Wellborn

NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Re: Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit. Eddy County, New Mexico

Dear Mr. Wellborn:

This will advise that COG Operating LLC has filed an Application with the New Mexico Oil Conservation Division for an order amending Division Order No. R-10067 to extend the vertical limits of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Andres) Pool to a depth of 5,000 feet to correspond with the proposed extension of the Unitized Formation of the Burch-Keely Unit. The pool and unit area are comprised of the following lands:

TOWNSHIP 17 SOUTH, RANGE 29 EAST, NMPM

Section 12: Section 13: Section 23 through 26:

SE/4 SE/4 All All

TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM

Sections 18 and 19: All Section 30:

All

A copy of the Application for hearing is enclosed.

PEPLY TO:

Paseo de Peralta anta Fe, New Mexico 87501 Telephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

Southwest Royalties, Inc. December 16, 2010 Page 2

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

7. I win thall

J. Scott Hall

JSH:kw Enclosure



December 16, 2010

Tandem Energy Corp. 200 N. Loraine Street, Ste 400 Midland, TX 79701

Certified Mail/ Return Receipt Requested

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

Dear Sir or Madam:

This will advise that COG Operating LLC has filed an Application with the New Mexico Oil Conservation Division for an order amending Division Order No. R-10067 to extend the vertical limits of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Andres) Pool to a depth of 5,000 feet to correspond with the proposed extension of the Unitized Formation of the Burch-Keely Unit. The pool and unit area are comprised of the following lands:

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TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM

Sections 18 and 19: All Section 30:

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A copy of the Application for hearing is enclosed.

PLY TO: Paseo de Peralta Enta Fe, New Mexico 87501 Telephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

Tandem Energy Corp. December 16, 2010 Page 2

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH:kw Enclosure

SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY Complete Items 1, 2, and 3. Also complete Item 4 If Restricted Delivery is desired. Agent Print your name and address on the reverse Addres so that we can return the card to you. Attach this card to the back of the maliplece or on the front if space permits. Date of De D. Is delivery address different from hem 17.2 [2] Yes 1. Article Addressed to: Southwest Royalhas Go Unitor Williams Energy In 6 Desta Drue, Ste 3000 Insured Mall I Co.D Insured Mall I Co.D Insured Mall I Co.D Milland, TX 79705 [4" Restricted Delivery (Extra Fee) [1 Yes 2. Article Number 7006,2150,0002,3591,8607 (Transfer.from serv/ce-label) PS Form 3811, February Domestic Return Rec COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION A. Stonature Complete items 1, 2, and 3. Also complete C Agent item 4 if Restricted Delivery is desired. Addressee Print your name and address on the reverse so that we can return the card to you. Date of Delivery **B. R** (Printed Name) Attach this card to the back of the mailpiece, or on the front if space permits. D. Is delivery address different from item 17 T Yes 1. Article Addressed to: If YES, enter delivery address below: anadarko Petroleum 1201 Lake Robbins Dr. The Woodlands, TX 3. Service Type XI Certified Mail Express Mall Return Receipt for Merchandise C Registered 77380 D Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes 2. Article Number 7006 2150 0002 3591 8638 (Transfer from service label) 102595-02-M-1540 PS Form 3811, February 2004 **Domestic Return Receipt**

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November 24, 2010

DREWS

Anadarko Production Corp. P.O. Box 2497 Midland, TX 79702

Certified Mail/ **Return Receipt Requested**

NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Re: Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

Dear Sir or Madam:

This will advise that COG Operating LLC has filed an Application with the New Mexico Oil Conservation Division for an order amending Division Order No. R-10067 to extend the vertical limits of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Andres) Pool to a depth of 5,000 feet to correspond with the proposed extension of the Unitized Formation of the Burch-Keely Unit. The pool and unit area are comprised of the following lands:

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TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM

Sections 18 and 19: All Section 30: All

A copy of the Application for hearing is enclosed.

{00235831-1}

REPLY TO:

⁵ Paseo de Peralta

nta Fe, New Mexico 87501

ephone (505) 982-3873 • Fax (505) 982-4289 Post Office Box 2307

Santa Fe, New Mexico 87504-2307

6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

November 24, 2010 Page 2

This Application will be set for hearing before a Division Examiner on December 16, 2010, at 8:15 a.m. at the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time. If you intend to attend the hearing and present testimony or evidence, you must enter your appearance and serve the Division, counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 19.15.4.13.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

1. I win teal

J. Scott Hall

JSH:kw Enclosure



Re:

J. SCOTT HALL Office: (505) 986-2646 Email: shall@montand.com Reply To: Santa Fe Office www.montand.com

November 24, 2010

Burnett Oil Co. Inc. 801 Cherry St., Unit 9 Fort Worth, TX 76102

Certified Mail/ Return Receipt Requested

NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

This will advise that COG Operating LLC has filed an Application with the New Mexico Oil Conservation Division for an order amending Division Order No. R-10067 to extend the vertical limits of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Andres) Pool to a depth of 5,000 feet to correspond with the proposed extension of the Unitized Formation of the Burch-Keely Unit. The pool and unit area are comprised of the following lands:

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Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

November 24, 2010 Page 2

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH:kw Enclosure





November 24, 2010

CBS Operating Corporation P.O. Box 2236 Midland, TX 79702

Certified Mail/ Return Receipt Requested

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

Dear Sir or Madam:

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{00235831-1}

REPLY TO:

5 Paseo de Peralta inta Fe, New Mexico 87501 elephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

November 24, 2010 Page 2

JSH:kw Enclosure

00235546

This Application will be set for hearing before a Division Examiner on December 16, 2010, at 8:15 a.m. at the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time. If you intend to attend the hearing and present testimony or evidence, you must enter your appearance and serve the Division, counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 19.15.4.13.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

7. Sion dall

J. Scott Hall



November 24, 2010

Cimarex Energy Company 600 N. Marienfeld, Suite 600 Midland, TX 79701

JDREWS

Certified Mail/ **Return Receipt Requested**

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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A copy of the Application for hearing is enclosed.

{00235877-1}

REPLY TO:

75 Paseo de Peralta nta Fe. New Mexico 87501 ephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH:kw Enclosure

00235546

(00235877-1)



November 24, 2010

ConocoPhillips Co. P.O. Box 50688 Midland, TX 79710 Certified Mail/ Return Receipt Requested

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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{00235831-1}

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Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

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MONTGOMERY & ANDREWS, P.A.

7. 1 con dall

J. Scott Hall

JSH:kw Enclosure

00235546



November 24, 2010

EnerVest Operating LLC 1001 Fannin St., Suite 800 Houston, TX 77002 Certified Mail/ Return Receipt Requested

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

T. Swer dall

J. Scott Hall



November 24, 2010

Lobos Energy Partners 3817 NW Expressway Suite 950 Oklahoma City, OK 73112

REWS

Certified Mail/ **Return Receipt Requested**

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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{00235831-1}

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325 Paseo de Peralta hta Fe, New Mexico 87501 lephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307

6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929



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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH:kw Enclosure

00235546



November 24, 2010

Pioneer Natural Resources USA Inc. P.O. Box 3178 Midland, TX 79702 Certified Mail/ Return Receipt Requested

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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325 Paseo de Peralta Inta Fe, New Mexico 87501 elephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

1. Swin yall

J. Scott Hall



November 24, 2010

Mr. Don Peterson Assistant Field Manager Bureau of Land Management 620 E. Greene Carlsbad, NM 88220-6292

Return Receipt Requested

Certified Mail/

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

Dear Mr. Peterson:

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All All

REPLY TO:

325 Paseo de Peralta Inta Fe, New Mexico 87501 Lephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

JSH:kw Enclosure

A copy of the Application for hearing is enclosed.

This Application will be set for hearing before a Division Examiner on December 16, 2010, at 8:15 a.m. at the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time. If you intend to attend the hearing and present testimony or evidence, you must enter your appearance and serve the Division, counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 19.15.4.13.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall



November 24; 2010

Southern Bay Energy LLC 110 Cypress Station Dr. #220 Houston, TX 77090

Certified Mail/ Return Receipt Requested

NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Re: Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

Dear Sir or Madam:

This will advise that COG Operating LLC has filed an Application with the New Mexico Oil Conservation Division for an order amending Division Order No. R-10067 to extend the vertical limits of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Andres) Pool to a depth of 5,000 feet to correspond with the proposed extension of the Unitized Formation of the Burch-Keely Unit. The pool and unit area are comprised of the following lands:

TOWNSHIP 17 SOUTH, RANGE 29 EAST, NMPM

Section 12: SE/4 SE/4 Section 13: All Section 23 through 26: All

TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM

Sections 18 and 19: All Section 30:

All

A copy of the Application for hearing is enclosed.

{00235831-1}

REPLY TO:

5 Paseo de Peralta nta Fe, New Mexico 87501 lephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307 Santa Fe, New Mexico 87504-2307 6301 Indian School Road NE, Suite 400 Albuquerque, New Mexico 87110 Telephone (505) 884-4200 • Fax (505) 888-8929

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH:kw Enclosure

00235546



Re:

J. SCOTT HALL Office: (505) 986-2646 Email: shall@montand.com Reply To: Santa Fe Office www.montand.com

November 24, 2010

Southwest Royalties P.O. Box 11390 Midland, TX 79702 Certified Mail/ Return Receipt Requested

NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall



November 24, 2010

Tandem Energy Corp. P.O. Box 1559 Midland, TX 79702

Certified Mail/ **Return Receipt Requested**

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH:kw Enclosure

00235546



November 23, 2010

Hunt Oil Company 1445 Ross Ave., Suite 1400 Dallas, TX 75202-2703

Certified Mail/ Return Receipt Requested

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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JSH:kw Enclosure



November 24, 2010

Davoil Inc. 6300 Ridglea Pl., Suite 1208 Fort Worth, TX 76116-5738 Certified Mail/ Return Receipt Requested

Re: NMOCD Case No. 14577; Application of COG Operating LLC for Vertical Extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Adres) Pool to Correspond with the Unitized Formation of the Burch-Keely Unit, Eddy County, New Mexico

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JSH:kw Enclosure

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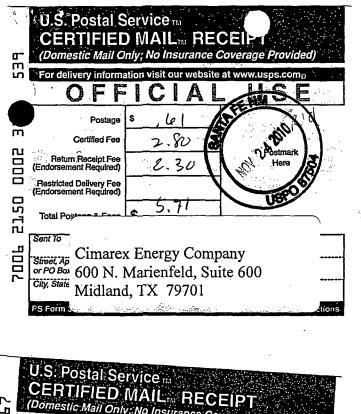
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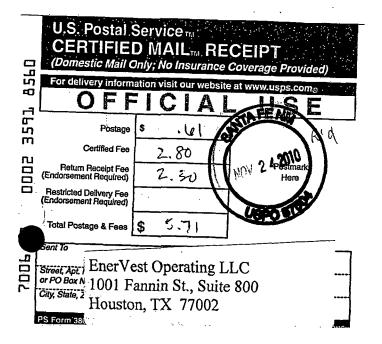
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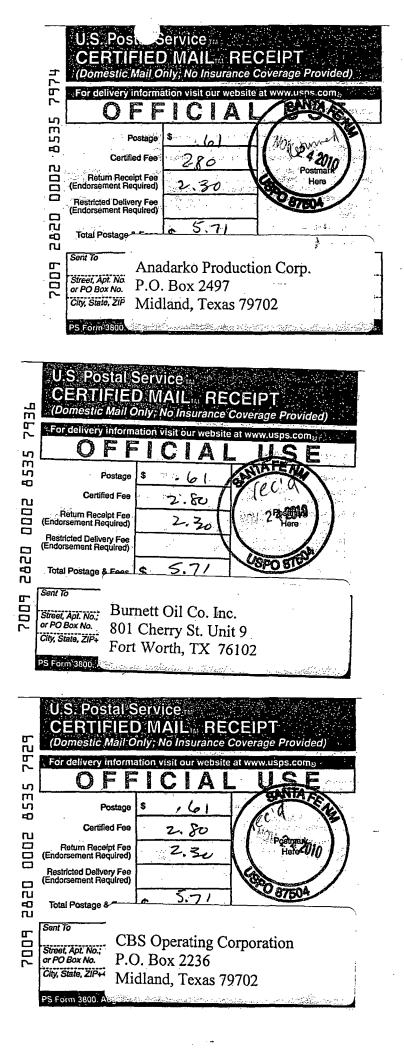
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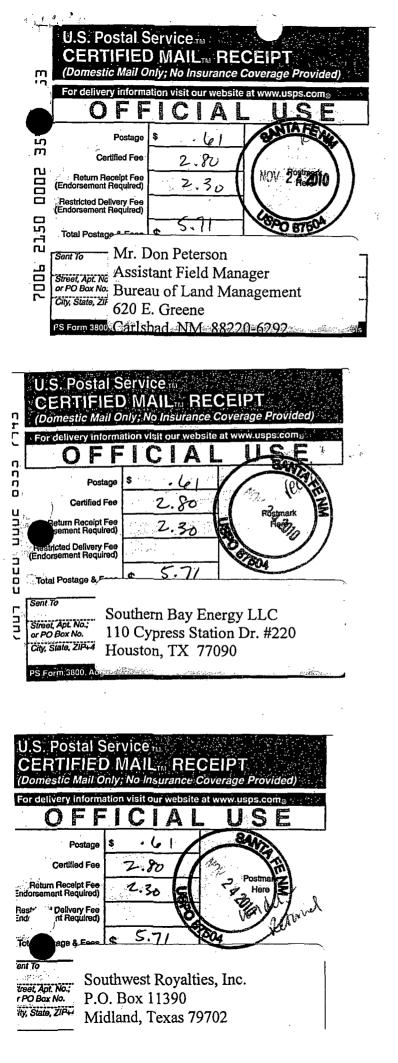
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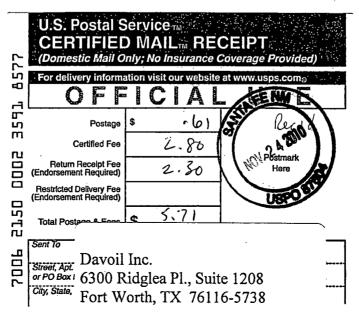




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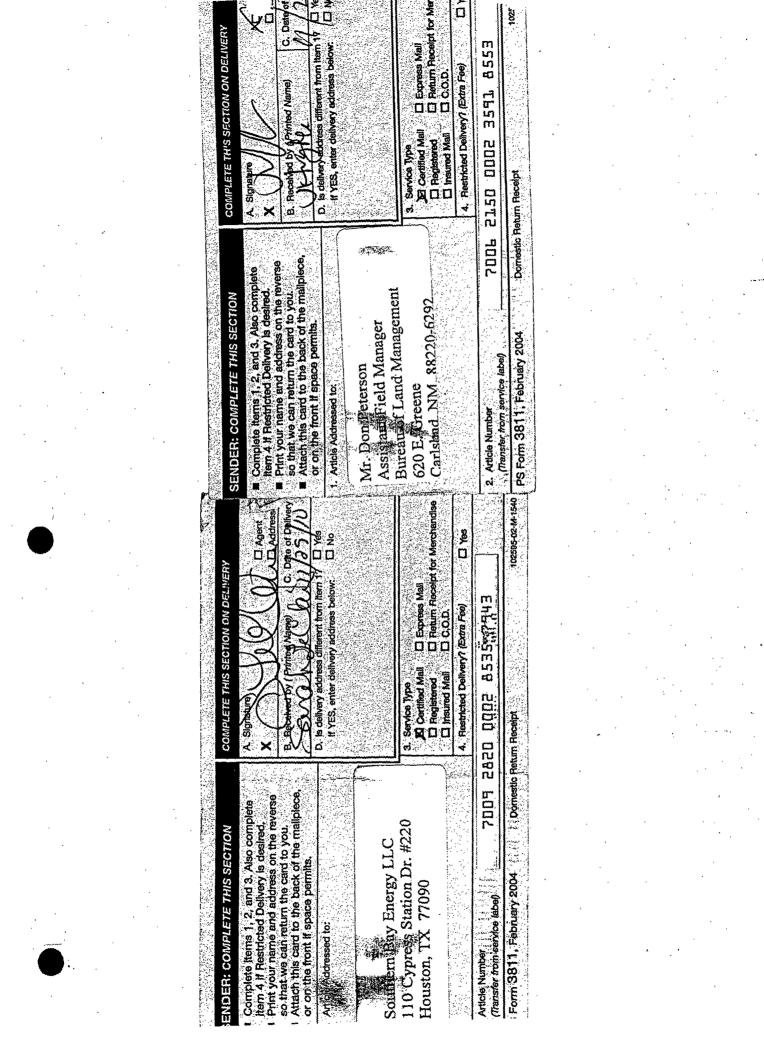
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STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION COMMISSION

IN THE MATTER OF THE APPLICATION OF COG OPERATING LLC FOR VERTICAL EXTENSION OF THE GRAYBURG-JACKSON (SEVEN RIVERS-QUEEN-GRAYBURG-SAN ANDRES) POOL TO CORRESPOND WITH THE UNITIZED FORAMTION OF THE BURCH-KELLY UNIT, EDDY COUNTY, NEW MEXICO

}

CASE NO. 14577 R-10067-B (de novo)

AFFIDAVIT OF ERNEST L. PADILLA

STATE OF NEW MEXICO }

COUNTY OF SANTA FE

Affiant, Ernest L. Padilla, first being duly sworn upon oath, states:

1. I am competent to make this affidavit.

2. I was attorney of record for COG Operating, LLC, in the captioned proceeding before an examiner of the Oil Conservation Division (Division) resulting in issuance of Division Order R-10067-B.

3. At the Division hearing I presented the Affidavit of Service prepared by J. Scott Hall, Esq. of Montgomery & Andrew, P.A., who filed the application on behalf of COG Operating, LLC and sought to send notice, in accordance with the procedural requirements of the Division, to all interest owners and operators affected by the application.

4. At the hearing, I requested and was granted leave to supplement the record with U.S. Postal Service return receipts sent by Mr. Hall to Anadarko Petroleum Corp. and Tandem Energy Corp.

5. The Tandem Energy Corp. return receipt was not later received by Mr. Hall, nor could delivery of the Tandem Energy notice at its last known address in Midland, Texas, be effected.

6. Through efforts of David Evans of COG Operating LLC and my prior efforts to locate Tandem Energy Corp. in Midland in an other unrelated Division case, we

discovered that Tandem Energy Corp. had been merged with Platinum Energy Resources in Houston, Texas.

7. I then initiated contact, both telephonically and email, with Stephen Fuerst and T. Nguwen concerning the purpose of the hearing. Through email I sent them a copy of the application and the pre-hearing statement prepared by Mr. Hall. I also forwarded to them, through email, their request for information on the location of Platinum Energy Resources' closest well. Copies of pertinent email communications with Mr. Fuerst and Mr. Nguwen and myself are attached hereto.

8. At some point in the dialogue between Mr. Fuerst and Mr. Nguwen and me I recommended to COG Operating LLC that Mr. Ramon Reyes, the geologist employed by COG Operating, LLC, to directly communicate with Mr. Nguwen with regard to any further specific concerns that Platinum Energy Resources may have had. To my knowledge there was direct communication between Mr. Reyes and Mr. Nguwen.

9. To my knowledge and information, Platinum Energy Resources, Inc. did not file an objection to the application, nor did Mr. Fuerst and Mr. Nguwen express an objection to me. It is my further opinion that Mr. Fuerst and Mr. Nguwen fully understood the purpose and intent of the application.

FURTHER AFFIANT SAYETH NAUGHT.

ERNEST L. PADILLA

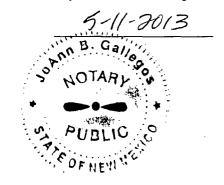
SWORN TO AND SUBCRIBED to before me this 21st day of June, 2011, by

Ernest L. Padilla.

ham B. Allen

otary Public

My Commission Expires:



Ernest Padilla

From:Ernest Padilla [epadillaplf@qwestoffice.net]Sent:Tuesday, January 25, 2011 1:18 PMTo:'sfuerst@platenergy.com'; 'tnguwen@platenergy.com'Cc:'David Evans'; 'J. Scott Hall'Subject:NM Oil Conservation Division Case No. 14577

Attachments: 001 Application of COG for vertical extension filed 111610 (00234364).pdf; Pre-Hearing Statement by COG filed 120810 (00238232).pdf

Gentlemen:

Attached are the application and pre-hearing statement that I mentioned during our earlier telephone conversation. Briefly, the application calls for the vertical extension of the Grayburg-Jackson (Seven Rivers-Queen-Grayburg-San Andres) Pool to correspond with the horizontal and vertical extent of the Burch-Keeley Unit in Eddy County, NM, operated by COG Operating. The application and the pre-hearing statement are self-explanatory as to the purpose of the application. The 5000-feet of vertical depth is based on ownership (rather than geologic features) which was severed by Conoco, quite some time ago, thus creating an allocation of production problem should the pool be extended beyond 5000 feet.

As I explained during our conversation, an attempt to notify Tandem Energy, an offset operator or owner, of a January 6, 2011 hearing was ineffective due to the fact that Tandem has merged with Platinum and is no longer in Midland. At the hearing we disclosed that the certified mailing to Tandem had been ineffective, therefore, my purpose in contacting you is to seek a waiver of the application and hearing. This would eliminate the necessity of having to continue the hearing and send notice by certified mail of the hearing of at least 20 days.

In the meantime I have asked COG Operating for information concerning your nearest well or interests. As soon as I get that I will forward it to you.

Please let me know if you have any questions.

Ernest L. Padilla PADILLA LAW FIRM, P.A. P.O. Box 2523 Santa Fe, New Mexico 87504-2523 T: 505-988-7577 F: 505-988-7592 E: epadillaplf@gwestoffice.net; (office) padillalaw@gwestoffice.net

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Ernest Padilla

From: Ernest Padilla [epadillaplf@qwestoffice.net]

Sent: Tuesday, January 25, 2011 4:01 PM

To: 'sfuerst@platenergy.com'; 'tnguyen@platenergy.com'

Cc: 'David Evans'; 'J. Scott Hall'

Subject: FW: NM Oil Conservation Division Case No. 14577

Attachments: 001 Application of COG for vertical extension filed 111610 (00234364).pdf; ATT00001..htm Gentlemen:

I am forwarding an email to me from COG Operating indicating that the closest Tandem Energy well is the Square Lake 12 Fed Unit in Section 12, T17S, R29E in answer to your question. Let me know if you have any questions. Thanks.

Ernest L. Padilla PADILLA LAW FIRM, P.A. P.O. Box 2523 Santa Fe, New Mexico 87504-2523 T: 505-988-7577 F: 505-988-7592 E: epadillaplf@qwestoffice.net

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From: Stuart Dirks [mailto:SDirks@conchoresources.com]
Sent: Tuesday, January 25, 2011 3:18 PM
To: epadillaplf@qwestoffice.net
Cc: SHall@montand.com; David Evans
Subject: FW: NM Oil Conservation Division Case No. 14577

Mr. Padilla-

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The closest operations of Tandem Energy is the Square Lake 12 Fed Unit, it is contiguous to the Burch Keely Unit in Section 12. The serial register page shows this unit as 100% Tandem Energy.

Thanks, Stuart

COG OPERATING LLC Stuart A. Dirks, CPL, CDOA Senior Landman 550 W. Texas Avenue, Suite 100

6/14/2011