

HOLLAND & HART<sup>LLP</sup>



Ocean Munds-Dry  
omundsdry@hollandhart.com

July 5, 2011

**HAND-DELIVERED**

Jami Bailey  
Division Director  
Oil Conservation Division  
New Mexico Energy, Minerals and  
Natural Resources Department  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

*Case 14710*

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**Re: Application of COG Operating, LLC for a non-standard spacing and proration unit, a non-standard location and compulsory pooling, Eddy County, New Mexico.**

Dear Ms. Bailey:

Enclosed is the application of COG Operating, LLC in the above-referenced case as well as a copy of a legal advertisement. COG Operating, LLC requests that this matter be placed on the docket for the August 4, 2011 Examiner hearings.

Sincerely,

*Ocean Munds-Dry*  
Ocean Munds-Dry

Enclosures

cc: David Evans

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

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

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IN THE MATTER OF THE APPLICATION  
OF COG OPERATING, LLC FOR A  
NON-STANDARD SPACING AND PRORATION  
UNIT AND COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.

CASE NO. 14710

APPLICATION

COG OPERATING, LLC, ("COG") through its undersigned attorneys, hereby makes application to the Oil Conservation Division pursuant to the provisions of N.M. Stat. Ann. § 70-2-17, for an order: (1) creating a non-standard spacing unit comprised of the N/2 N/2 of Section 12, Township 17 South, Range 31 East, NMPM, which will be the project area for the Puckett "12" Federal Well No. 9H; (2) pooling all mineral interests in the Glorieta-Yeso formation in the following described project area located in the N/2 N/2 of Section 12, Township 17 South, Range 31 East, N.M.P.M., Eddy County, New Mexico to form a 160-acre project area in the Glorieta-Yeso formation. In support of its application, COG states:

1. COG is a working interest owner in the N/2 N/2 of Section 12 and has the right to drill thereon.
2. COG proposes to dedicate the above-referenced spacing or proration unit to its Puckett "12" Well No. 9H to be drilled from a surface location 330 feet from the North and West lines and a bottomhole location 330 feet from the North and East lines of Section 12.

3. COG has sought and been unable to obtain voluntary agreement for the development of these lands from certain working interest owners in the subject spacing unit. These owners are identified on Exhibit A to this application.

4. Said pooling of interests will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights.

5. In order to permit COG to obtain its just and fair share of the oil and gas underlying the subject lands, all mineral interests should be pooled, and COG Operating, LLC should be designated the operator of the well to be drilled.

WHEREFORE, COG Operating, LLC requests that this application be set for hearing before an Examiner of the Oil Conservation Division on August 4, 2011 and, after notice and hearing as required by law, the Division enter its order:

- A. creating a non-standard spacing and proration unit in the Glorieta-Yeso formation comprised of the N/2 N/2 of Section 12, Township 17 South, Range 31 East, NMPM;
- B. pooling all mineral interests in the subject project area,
- C. designating COG Operating, LLC operator of this project area and the well to be drilled thereon,
- D. authorizing COG Operating, LLC to recover its costs of drilling, equipping and completing the well,
- E. approving the actual operating charges and costs of supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures, and
- F. imposing a 200% penalty for the risk assumed by COG Operating, LLC in drilling and completing the well against any working interest owner who does

not voluntarily participate in the drilling of the well.

Respectfully submitted,  
HOLLAND & HART LLP

By:

*Ocean Munds-Dry*

Ocean Munds-Dry  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
(505)988-4421

ATTORNEYS FOR COG OPERATING, LLC

**EXHIBIT A**

**APPLICATION OF  
COG OPERATING, LLC  
FOR A NON-STANDARD SPACING AND PRORATION UNIT, NON-STANDARD  
LOCATION AND COMPULSORY POOLING  
N/2 N/2 OF SECTION 12, TOWNSHIP 17 SOUTH, RANGE 31 EAST, N.M.P.M.  
EDDY COUNTY, NEW MEXICO.**

Burnett Oil Company  
Burnett Plaza, Unit 9  
801 Cherry Street, Suite 1500  
Fort Worth, Texas 76102

Zorro Partners  
616 Texas Street  
Fort Worth, Texas 76102

Javelina Partners  
616 Texas Street  
Fort Worth, Texas 76102-4696

Hudson Oil Co. of Texas  
616 Texas Street  
Forth Worth, Texas 76102

Tandem Energy Corp.  
PO Box 1559  
Midland, Texas 79702

OXY USA WTP LP  
PO Box 50250  
Midland, Texas 79710-0250

ConocoPhillips  
330 N. "A" Street Bldg 6  
Midland, Texas 79705

CASE 14710:

**Application of COG Operating, LLC for a non-standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico.** Applicant in the above-styled cause seeks an order: (1) creating a non-standard spacing unit comprised of the N/2 N/2 of Section 12, Township 17 South, Range 31 East, NMPM, and (2) pooling all mineral interests in the Glorieta-Yeso formation in the non-standard spacing unit which will be the project area for the Puckett "12" Federal Well No. 9H to be drilled at a standard surface and bottomhole location in Section 12. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of COG Operating, LLC as operator of the well and a 200% charge for risk involved in drilling said well. Said area is located approximately 9 miles east of Loco Hills, New Mexico.

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