

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

2012 MAY 31 P 4:40

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

**APPLICATION OF COG OPERATING LLC  
FOR COMPULSORY POOLING, EDDY  
COUNTY, NEW MEXICO.**

**Case No. 14,855**

**PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by Apache Corporation as required by the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

COG Operating LLC

**APPLICANT'S ATTORNEY**

J. Scott Hall

**OPPONENT**

Apache Corporation  
Suite 3000  
300 Veterans Airpark Lane  
Midland, Texas 79705

**OPPONENT'S ATTORNEY**

James Bruce  
P.O. Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

Attention: Lee Scarborough

**STATEMENT OF THE CASE**

**APPLICANT**

**OPPONENT**

COG Operating LLC ("COG") seeks an order pooling all interests from the surface to the base of the Glorieta-Yeso formation in the SW/4NE/4 of Section 16, Township 17 South, Range 31 East, NMPM.

Apache Corporation ("Apache") owns a working interest in the well unit. Despite repeated requests, COG has refused to send Apache an operating agreement and an AFE. Thus, it asks that the case be dismissed, or that it be dismissed from the case.

**PROPOSED EVIDENCE****APPLICANT****WITNESSES****EST. TIME****EXHIBITS****OPPONENT****WITNESSES****EST. TIME****EXHIBITS**

Lee Scarborough

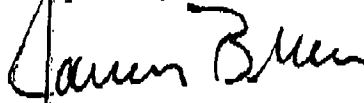
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**PROCEDURAL MATTERS**

Apache will be filing a motion to dismiss.

Respectfully submitted,



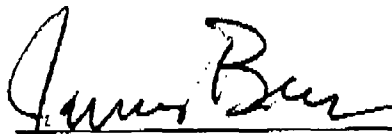
James Bruce  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

Attorney for Apache Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 21st day of May, 2012 by facsimile transmission:

J. Scott Hall  
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