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:

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

CASE NO. 14848

AFFIDAVIT

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

Michael H. Feldewert, attorney in fact and authorized representative of COG Operating LLC, the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application was provided under the notice letter and proof of receipt attached hereto.

Michael H. Feldewert

SUBSCRIBED AND SWORN to before me this 23rd day of May 2012 by Michael H.

Feldewert,



Notary Public

EXHIBIT A COG OPERATING LLC TARPAN 33 FEE 3H

Oxy Y-1 Post Office Box 4294 Houston, Texas 77210-4294 Attn: Kat Almeida

ABO Petroleum Corporation 105 South 4th Street Artesia, New Mexico 88210 Attn: Chuck Moran

DDDF, Inc. Post Office Box 465 Midland, Texas 79702

Charles E. Nearburg dba Nearburg Exploration Co. 5447 Glenlake Drive Dallas, Texas 75231 Attn: Terry Grant Yates Petroleum Corporation 105 South 4th Street Artesia, New Mexico 88210 Attn: Chuck Moran

Rolla R. Hinkle Post Office Box 2292 Roswell, New Mexico 88202

Ralf L. Way Post Office Box 465 Midland, Texas 79702

Nearburg Exploration Co. Post Office Box 823085 Dallas, Texas 70382 MYCO Industries, Inc. 105 South 4th Street Artesia, New Mexico 88210 Attn: Chuck Moran

OGX Resources LLC 400 North Marienfeld Street Suite 200 Midland, Texas 79701

Jack L. Russell and Frances R. Russell
Post Office Box 1604
Midland, Texas 79702

Nearburg Exploration Co. 3300 N. A Street, Bldg. 2 Suite 120 Midland, Texas 79705



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

May 1, 2012

<u>VIA CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

TO AFFECTED INTEREST OWNERS

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

Tarpan 33 Fee 3H Well

This letter is to advise you that COG Operating LLC has filed the enclosed application with the New Mexico Oil Conservation Division. This application has been set for hearing before a Division Examiner at 8:15 a.m. on May 24, 2012. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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 1208.B to file a Pre-hearing Statement four days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address 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.

Questions concerning this application should be directed to Mike Wallace at (432) 221-0465.

Sincerely,

Adam G. Rankin

ATTORNEY FOR COG OPERATING LLC

MHF Enclosure

U.S. Postal Servicens
CERTIFIED MAIL. RECEIPT
(Domestic Mail Only; No. MHF/COG 8990 Tarpan 33 Fee 3H For delivery information visit 0625 Postage 0005 Certified Fee SIOFre - M Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees 7006 Oxy Y-1 Post Office Box 4294 Houston, Texas 77210-4294 Attn: Kat Almeida

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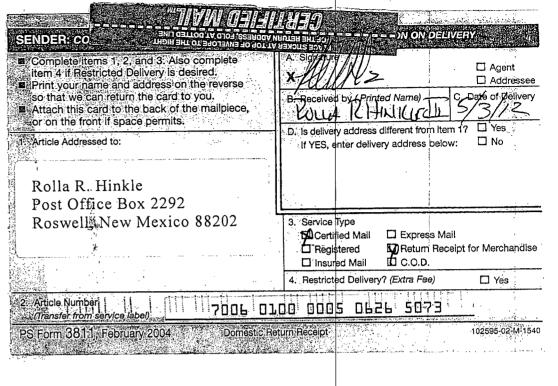
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