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. 14971

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 20th day of March 2013 by Michael H.

Feldewert.



OFFICIAL SEAL USTAMARUE ORTIZ NOTARY PUBLIC-STATE OF NEW MEXICO My commission expires 01/14/15

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Exhibit No. 4 Submitted by: <u>COG OPERATING LLC</u> Hearing Date: <u>March 21, 2013</u> HOLLAND&HART.

Michael H. Feldewert Recognized Specialist in the Area of Natural Resources - oil and gas law -New Mexico Board of Legal Specialization mfeldewert@hollandhart.com

March 1, 2013

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

TO: OFFSET OWNERS

Re: Application of COG Operating LLC for non-standard spacing and proration unit and compulsory pooling; Eddy County, New Mexico - Falabella 31 Fee 6H Well (API #30-015-40211)

This letter is to advise you that COG Operating LLC has filed the enclosed application with the New Mexico Oil Conservation Division seeking an order creating a non-standard spacing unit comprised of the E/2 W/2 of Section 31, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. As a mineral lessee or operator in the offsetting properties, you are entitled to notice of this application.

This application has been set for hearing before a Division Examiner at 8:15 AM on March 21, 2013. 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 with the Oil Conservation Division's Santa Fe office, four days in advance of a scheduled hearing, but at least on the Thursday preceding the hearing. This statement must 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 Katie Mohebkhosravi, at Concho Resources, Inc. (432) 221-0333.

Sincerely.

Michael H. Feldewert

Holland & Hart LLP

HOLLAND&HART

Michael H. Feldewert Recognized Specialist in the Area of Natural Resources - oil and gas law -New Mexico Board of Legal Specialization mfeldewert@hollandhart.com

March 1, 2013

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

TO: AFFECTED INTEREST OWNERS

Re: Application of COG Operating LLC for non-standard spacing and proration unit and compulsory pooling; Eddy County, New Mexico - Falabella 31 Fee 6H Well (API #30-015-40211)

This letter is to advise you that COG Operating LLC has filed the enclosed application with the New Mexico Oil Conservation Division. As an interest owner subject to this pooling application, you are entitled to notice of this application.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on March 21, 2013. 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 Katie Mohebkhosravi, at Concho Resources, Inc. (432) 221-0333.

Sincerely,

Michael H. Feldewert

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 www.hoilandhart.com 110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. 🔅

NOTICE LIST COG OPERATING LLC FALABELLA 31 FEE #6H

Oxy Y-1 5 Greenway Plaza, Suite 110 Houston, Texas 77046

Marathon Oil Corporation Attn.: Land Department 5555 San Felipe Street Houston, Texas 77056

Watts Properties, LLC Post Office Box 2367 Roswell, New Mexico 88202

Yates Petroleum Corporation 105 South 4th Street Artesia, New Mexico 88210

Mark K. Nearburg 710 Dragon Austin, Texas 78734

The Dunn Family Trust 710 Dragon Austin, Texas 78734

Ameristate Exploration LLC 401 Congress Avenue Austin, Texas 78701 Myco Industries, Inc. 105 South 4th Street Artesia, New Mexico 88210

Cimarex Energy Company 600 North Marienfield St. Midland, Texas 79701

Louis J. Mazzullo 2500 Cherry Creek S Drive Unit 224 Denver, Colorado 80209

Gretchen B. Nearburg 710 Dragon Austin, Texas 78734

MGC Limited Partnership 710 Dragon Austin, Texas 78734

OFFSETS

Abo Petroleum Corporation 105 South 4th Street Artesia, New Mexico 88210

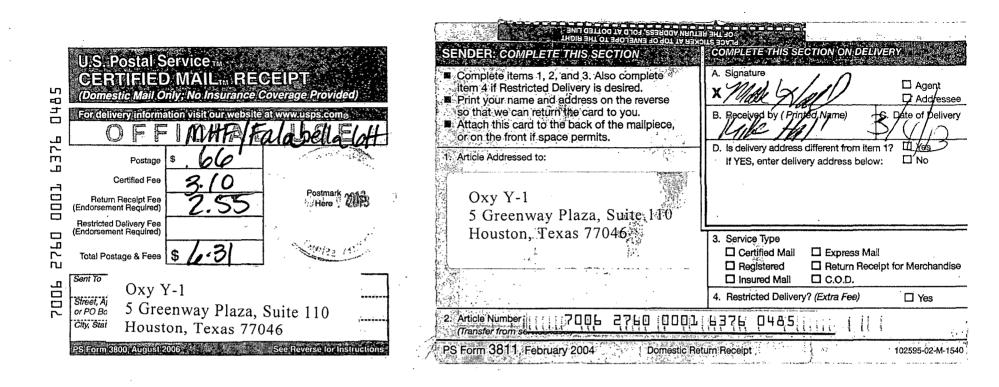
E3 Energy Ltd. 400 W. Illinois Ave. #1620 Midland, Texas 79701

POOLED PARTIES

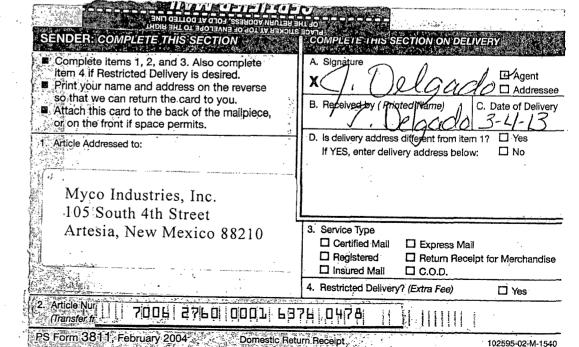
Thomas M. Beall Post Office Box 3098 Midland, Texas 79702

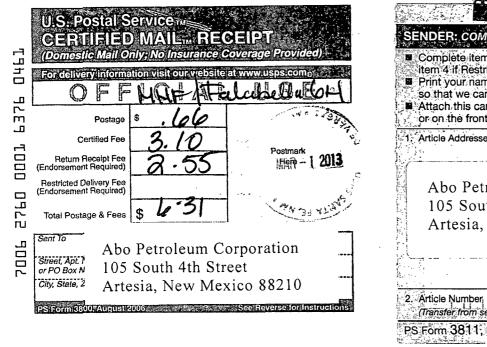
Richard L. Brown 710 Dragon Austin, Texas 78734

The Wright Family Living Trust 710 Dragon Austin, Texas 78734





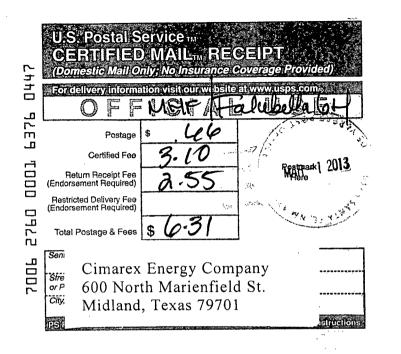




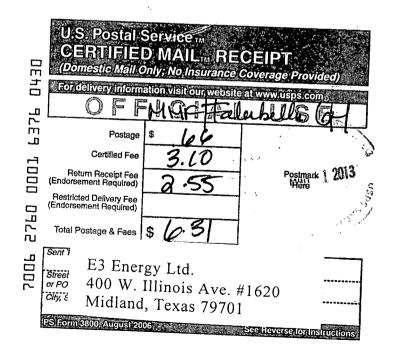
HA VODUESS YOTD VI DOLLED FINE	
ENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to:	A. Signature X
Abo Petroleum Corporation 105 South 4th Street	
Artesia, New Mexico 88210	3. Service Type □ Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.
	4. Restricted Delivery? (Extra Fee)
Article Number 7004 2760 0001	<u> </u>
SForm 3811, February 2004 Domestic Ref	urn Receipt 102595-02-M-1540
Electric March 1998 201 and and and a series of the State	and the second the second s



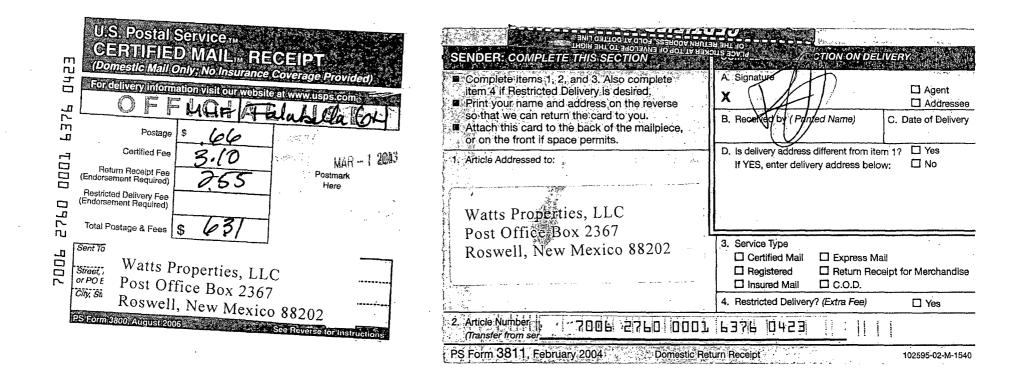
PLACE STORED AT TOP OF EAVELOPE TO THE METHAN ADDRESS, FOULD AT OUTLED THE MIGHT		
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DEL	IVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse 	A. Signature X Mall & Josephere	Agent Addressee
so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name)	C. Date of Delivery $3 - 4 - 13$
1. Article Addressed to	D. Is delivery address different from iter If YES, enter delivery address below	
Marathon Oil Corporation Attn.: Land Department		
5555 San Felipe Street Houston, Texas 77056	3. Service Type Certified Mail Express Mail Registered Return Rece Insured Mail C.O.D.	l ipt for Merchandise
	4. Restricted Delivery? (Extra Fee)	C Yes
2 Article Number 7006 2760 0001 6376 0454		
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

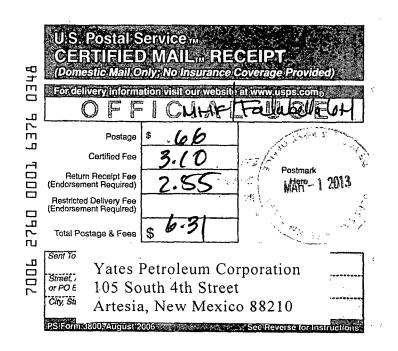


 SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3, Also complete items 1, 2, and 3, Also complete items 1, 2, and 3, Also complete item 4. If Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: 	
Cimarex Energy Company 600 North Marienfield St.	
Midland, Texas 79701	3. Service Type □ Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.
	4. Restricted Delivery? (Extra Fee)
2. Article Number (7006 2760 0001 (

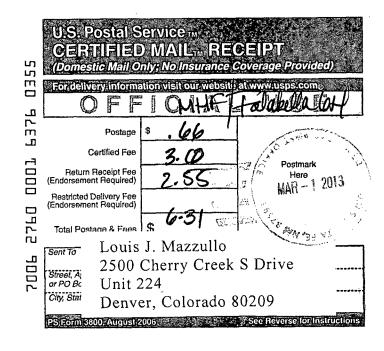


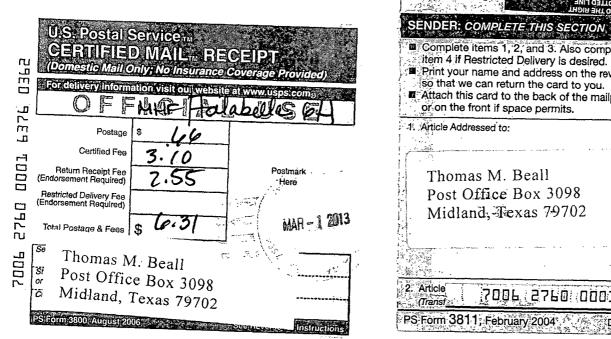


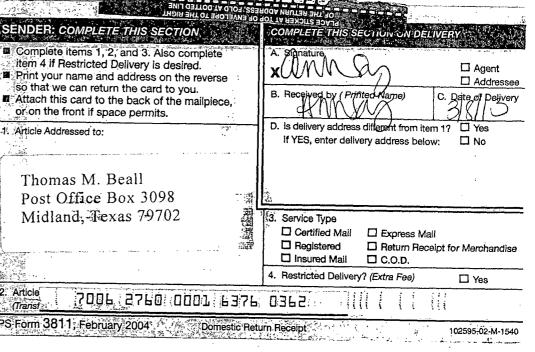


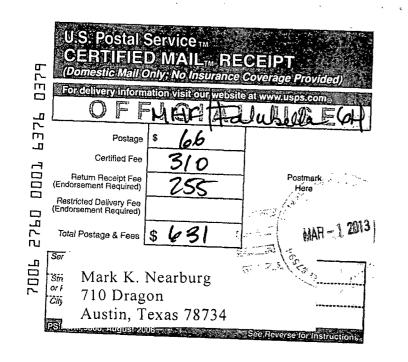


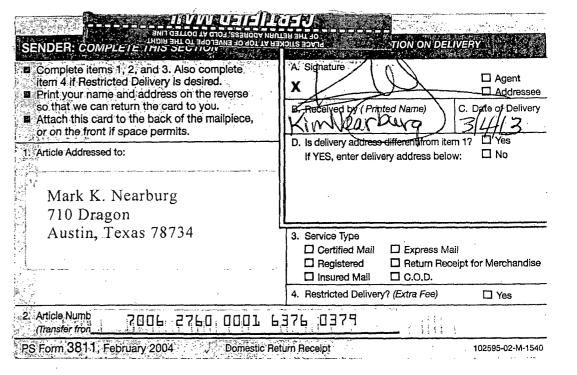
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you.	A. Signature X
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: Yates Petroleum Corporation 	 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
Artesia, New Mickleb 66210	 3. Service Type Certified Mail Registered Insured Mail C.O.D. Restricted Delivery? (<i>Extra Fee</i>) Yes
2. Article Number 77006 2760 0001 (Transfer from service race) PS:Form 3811 February 2004: Domestic Return	



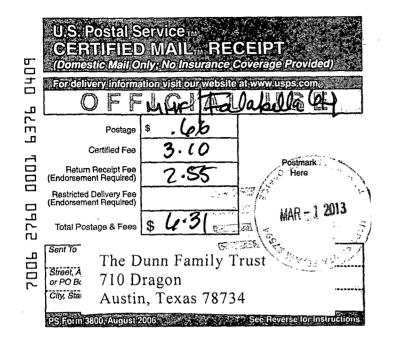


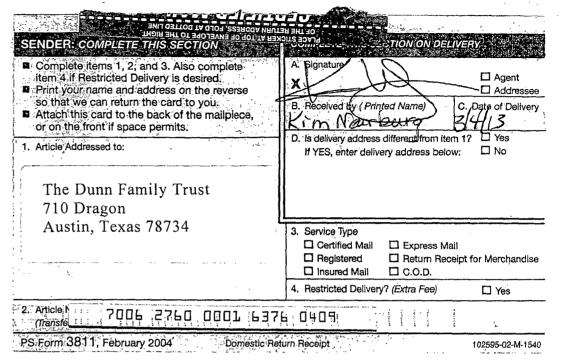


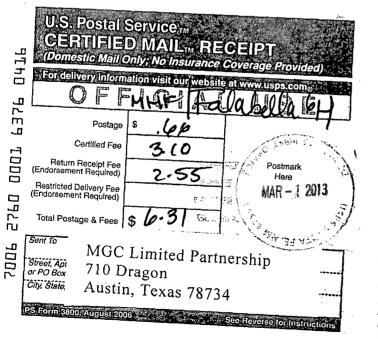


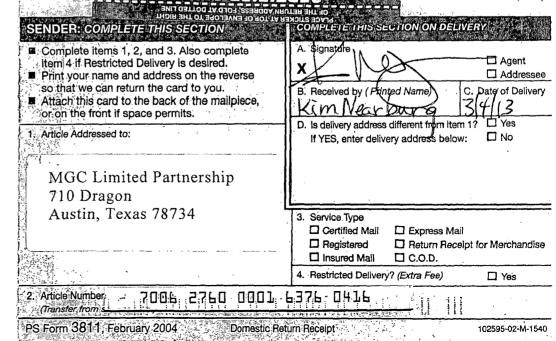


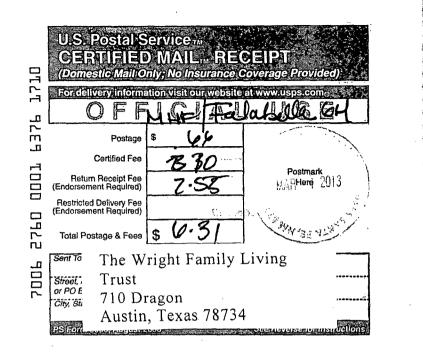




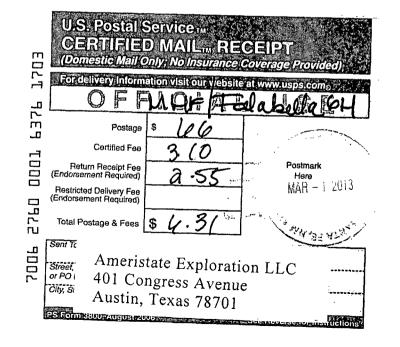








	COMPLETE THIS SECTION ON DELIVI	ERY
Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to:	Al Signature B. Received by (Printed Name) KI W Near Dura D. Is delivery address different from item If YES, enter delivery address below:	Agent Addressee Date of Delivery Addressee Date of Delivery Addressee
The Wright Family Living Trust 710 Dragon Austin, Texas 78734		
	3. Service Type	ot for Merchandise
	4. Restricted Delivery? (Extra Fee)	□ Yes
Article Nu 7006 2760 0001 63	76	
S Form 3811, February 2004 Domestic Re	aturn Receipt	102595-02-M-1540
	A commentation	



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT		
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailplece, or on the front if space permits. Article Addressed to: 	A. Signature A. Signature A. Signature A. Addressee B. Received by (<i>Printed Name</i>) N. P.C.M. D. Date of Delivery C. Date of Delivery D. State of Delivery C. Date of Delivery	
Ameristate Exploration LLC 401 Congress Avenue	If YES, enter delivery address below: No	
Austin, Texas 78701	3. Service Type Image: Certified Mail Image: Express Mail Image: Certified Mail Image: Certified Mail	
	4. Restricted Delivery? (Extra Fee)	
2. Article Numi: 7006 2760 0001 6376 1703		
PS Form 3811, February 2004 Domestic Retu	ITR Receipt, 102595-02-M-1540	