

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

2013 SEP 12 P 3:03

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

**APPLICATION OF COG OPERATING LLC FOR
TWO NON-STANDARD OIL SPACING AND PRORATION
UNITS, AND APPROVAL OF NON-STANDARD PROJECT
AREAS FOR TWO WELLS, LEA COUNTY, NEW MEXICO.**

Case No. 15,035

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by Yates Brothers, *et al.* as required by the Oil Conservation Division.

APPEARANCES

APPLICANT
COG Operating LLC

APPLICANT'S ATTORNEY
Michael Feldewert

OPPONENTS
Yates Brothers
Yates Holdings LLC
Sugarberry Oil & Gas Corporation
Katy Pipeline and Production Corporation
c/o Yates Holdings LLC
P.O. Box 1394
Artesia, New Mexico 88211

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

Attention: Jim Ball
(575) 736-8575

STATEMENT OF THE CASE

APPLICANT

OPPONENTS

Applicant seeks approval of two 280 acre non-standard oil spacing and proration units located in Sections 5 and 8, Township 26 South, Range 34 East, NMPM. Opponents own mineral rights in

the NW/4NE/4 and N/2NW/4 of Section 5 which is excluded from the well units. Opponents correlative rights will be harmed by the granting of COG's proposed well units.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EXHIBITS

OPPONENTS

WITNESSES

EST. TIME

EXHIBITS

Jim Ball
(landman)

15 min.

Approx. 4

George Scott III
(geologist)

15 Min.

Approx. 4

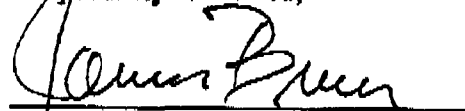
John Maxey
(engineer)

15 Min.

Approx. 2

PROCEDURAL MATTERS

Respectfully submitted,



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

Attorney for Objecting Parties

cc: Michael Feldewert
Germaine Chappelle
Ernest L. Padilla