

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

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

Case No. 15028

AFFIDAVIT

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

SETH C. McMILLAN, attorney and authorized representative of COG Operating LLC,  
the Applicant in NMOCD Case No. 15028, being first duly sworn, upon oath states that he sent  
copies of this Application to the parties as specified on the attached Exhibit A.

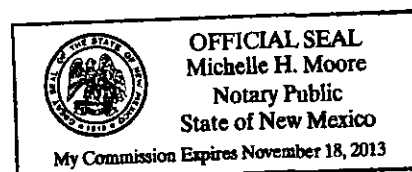
  
SETH C. McMILLAN

SUBSCRIBED AND SWORN to before me this 24<sup>th</sup> day of July, 2013.

  
Notary Public

My Commission Expires: Nov. 18, 2013

4872413



## EXHIBIT A

Branex Resources, Inc.  
P.O. Box 2990  
Ruidoso, NM 88355-2990

Charles R. Qualia  
P.O. Box 10181  
Midland, TX 79702

Devon Energy Production Company, LP  
333 W. Sheridan Avenue  
Oklahoma City, OK 73102  
Attn: Cari Allen

F. Andrew Grooms  
P.O. Box 2990  
Ruidoso, NM 88355-2990

Mark Hawkins  
P.O. Box 3192  
Midland, TX 79702

Alice Crouch  
4508 Bannister Lane  
Austin, TX 78745

Cecilia Aymond  
9466 Arborhill Drive  
Dallas, TX 75243

Halcon Resources Corporation  
Meridian Tower, Suite 650  
5100 East Skelly Drive  
Tulsa, OK 74135

Kyla Taylor Thompson  
1122 Green Valley Rd NW  
Los Ranchos, NM 87107

Chevron North American Exploration  
and Production Company  
1400 Smith Street, Room 43198  
Houston, TX 77002  
Attn: Kelly Bass

Occidental Oil and Gas Corporation  
5 Greenway Plaza, Suite 110  
Houston, TX 77046  
Attn: Tiffany Pollack

Marathon Oil Company  
P.O. Box 3487  
Houston, TX 77253-3487

Ray Devoe Taylor  
P.O. Box 723  
Tatum, NM 88267

Druella Wilbanks  
P.O. Box 84  
Maljamar, NM 88264



**MONTGOMERY  
& ANDREWS**  
LAW FIRM

**SETH C. MCMILLAN**  
Direct: 505-986-2519  
Email: smcmillan@montand.com  
Reply To: Santa Fe Office  
www.montand.com

July 3, 2013

Branex Resources, Inc.  
P.O. Box 2990  
Ruidoso, NM 88355-2990

**Via Certified Mail**  
**Return Receipt Requested**

**Re: NMOCD Case No. 15028: Application of COG Operating LLC for Designation of a Non-Standard Oil Spacing and Proration Unit and for Compulsory Pooling, Lea County, New Mexico**

Dear Sir or Madam:

This is to advise that COG Operating LLC has filed an application with the New Mexico Oil Conservation Division for an order consolidating the 40-acre spacing units within the S/2 N/2 of Section 9, Township 17 South, Range 32 East, NMPM, Lea County, New Mexico and designating the consolidated units as a 160-acre± non-standard oil spacing and proration unit for a well location in the Yeso formation, West Maljamar Yeso Pool (44500) for Applicant's horizontal drilling project area.

Applicant further seeks the compulsory pooling of all interests in the Yeso formation underlying the S/2 N/2 of Section 9 to be dedicated to its Sneed 9 Federal Com No. 3H Well to be drilled horizontally from a standard surface location in the SW/4 NW/4 (Unit E) of Section 9 to a standard bottom hole location in the SE/4 NE/4 (Unit H) of Section 9 to a depth sufficient to test the Yeso formation, West Maljamar Yeso Pool (44500). 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 and a charge for risk involved in drilling the well.

A copy of the Application is enclosed.

You are being notified as an offsetting operator. If you do not object to COG's Application, we would appreciate your acknowledgement by signing the enclosed copy of this letter and returning the same to us at your earliest convenience.

---

**REPLY TO:**

325 Paseo de Peralta  
Santa Fe, New Mexico 87501  
Telephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307  
Santa Fe, New Mexico 87504-2307

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6301 Indian School Road NE, Suite 400  
Albuquerque, New Mexico 87110  
Telephone (505) 884-4200 • Fax (505) 888-8929

Post Office Box 36210  
Albuquerque, New Mexico 87176-6210

Branex Resources, Inc.  
July 3, 2013  
Page 2

This Application will be set for hearing before a Division Examiner on July 25, 2013, at 8:15 a.m. at the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time. If you intend to attend the hearing and *present testimony or evidence, you must enter your appearance and serve the Division, counsel for the Applicant and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 19.15.4.13.*

Very truly yours,

MONTGOMERY & ANDREWS, P.A.



Seth C. McMillan  
J. Scott Hall  
Attorneys for COG Operating LLC

Enclosures

Branex Resources, Inc.

By: \_\_\_\_\_

## SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

Branex Resources, Inc.  
P.O. Box 2990  
Ruidoso, New Mexico 88355-2990

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7342

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

*Rue Leon Makab*☐ Agent☐ Addressee

B. Received by (Printed Name)

*Rue Leon Makab*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

JUL - 8 2013

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

Marathon Oil Company  
P.O. Box 3487  
Houston, TX 77253-3487

2. Article Number

(Transfer from service label)

7012 0470 0000 2697 2755

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

*James Felder*☐ Agent☐ Addressee

B. Received by (Printed Name)

*JAMES FELDER*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

JUL - 9 2013

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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1. Article Addressed to:

Ray Devoe Taylor  
P.O. Box 723  
Tatum, New Mexico 88267

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7410

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

*Dorothy Beas*☐ Agent☐ Addressee

B. Received by (Printed Name)

*Dorothy Beas*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

7/12

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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1. Article Addressed to:

F. Andrew Grooms  
PO Box 2990  
Ruidoso, New Mexico 88355

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7380

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Rudelyn Martinez*☐ Agent☒ Addressee

B. Received by (Printed Name)

Rudelyn Martinez

C. Date of Delivery

D. Is delivery address different from item 1? ☒ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☒ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

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- 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.

1. Article Addressed to:

Kyla Taylor Thompson  
1122 Green Valley Rd NW  
Los Ranchos, NM 87107

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7397

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Kyla Thompson*☐ Agent☒ Addressee

B. Received by (Printed Name)

Kyla Thompson

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

Halcon Resources Corporation  
Meridian Tower, Suite 650  
5100 East Skelly Drive  
Tulsa, Oklahoma 74135

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7335

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*☐ Agent☒ Addressee

B. Received by (Printed Name)

[Signature]

C. Date of Delivery

7/18/13

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**SENDER: COMPLETE THIS SECTION**

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- 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.

1. Article Addressed to:

Devon Energy Corporation  
333 W. Sheridan  
Oklahoma City, Oklahoma 73102-5010  
Attn: Cari Allen

2. Article Number

(Transfer from service label)

7013 0600 0002 2194 5965

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

7-8-13

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**SENDER: COMPLETE THIS SECTION**

- 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.

1. Article Addressed to:

Alice Crouch  
4508 Banister Lane  
Austin, TX 78745

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7403

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Alice Crouch

7/10/13

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**SENDER: COMPLETE THIS SECTION**

- 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.

1. Article Addressed to:

Cecilia Aymond  
9466 Arborhill Drive  
Dallas, TX 75243

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7366

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Cecilia Aymond

7/8/13

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**SENDER: COMPLETE THIS SECTION**

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- 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.

1. Article Addressed to:

Occidental Oil and Gas Corporation  
5 Greenway Plaza, Suite 110  
Houston, TX 77046

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7328

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

☐ Agent☐ Addressee

B. Received by (Printed Name)

5 B B B B B

C. Date of Delivery

7-10-15

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**SENDER: COMPLETE THIS SECTION**

- 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.

1. Article Addressed to:

Chevron North American Explorations  
and Production Company  
1400 Smith Street, Room 43198  
Houston, TX 77002  
Attn: Kelly Bass

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7458

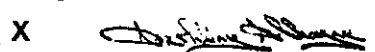
PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

7-9-03

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**SENDER: COMPLETE THIS SECTION**

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- 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.

1. Article Addressed to:

Druella Wilbanks  
P.O. Box 84  
Maljamar, NM 88264

2. Article Number

(Transfer from service label)

7012 2920 0000 4584 7359

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes