

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

**APPLICATION OF APACHE CORPORATION FOR APPROVAL  
OF THE FIRE EAGLE STATE SAN ANDRES EXPLORATORY  
UNIT, LEA COUNTY, NEW MEXICO.**

**CASE NO. 15401**

**COG's PRE-HEARING STATEMENT**

COG Operating LLC, a party affected by the above-referenced matter, submits this Pre-Hearing Statement pursuant to the rules of the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Apache Corporation  
303 Veterans Airpark Lane  
Suite 3000  
Midland, TX 79705

**ATTORNEY**

Earl DeBrine, Jr., Esq.  
Jennifer L. Bradfute  
Modrall, Sperling, Roehl, Harris & Sisk, P.A.  
Post Office Box 2168  
Albuquerque, New Mexico 87103-2168  
(505) 848-1800  
(505) 848-9710 Facsimile  
earl.debrine@modrall.com  
jennifer.bradfute@modrall.com

**OPPONENT**

COG Operating LLC  
One Concho Center  
600 W. Illinois Avenue  
Midland, TX 79701

**ATTORNEY**

Michael H. Feldewert, Esq.  
Jordan L. Kessler, Esq.  
Holland & Hart, LLP  
Post Office Box 2208  
Santa Fe, New Mexico 87504-2208  
(505) 988-4421  
(505) 983-6043 Facsimile  
mfeldewert@hollandhart.com  
jlkessler@hollandhart.com

2015 NOV 25 P 1:38

RECEIVED OCD

**STATEMENT OF CASE**

COG Operating LLC owns a working interest in the SE/4 of Section 10, Township 10 South, Range 36 East, NMPM, Lea County, New Mexico. COG will present information that will show that the unit boundary as proposed by Apache will impair the correlative rights of COG and will tend to reduce the ultimate recovery from the San Andres formation in this area. Joseph Scott (Landman) will review the status of the lands in the area of the proposed Fire Eagle Unit and the communications between COG and Apache concerning the proposed unit boundaries. Mr. Scott will review COG's objections to these boundaries and the effect of these boundaries on COG's leasehold rights in the SE/4 of Section 10 under the proposed unit agreement. Cody Bacon (Geologist) will review the geology of the San Andres formation in the subject area and compare this data to Apache's proposed unit boundary.

**APPLICANT'S PROPOSED EVIDENCE**

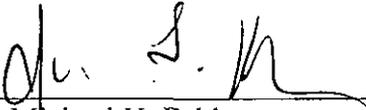
<b>WITNESS Name and Expertise</b>	<b>ESTIMATED TIME</b>	<b>EXHIBITS</b>
Joseph Scott, Landman	Approx. 15	Approx. 3
Cody Bacon, Geologist	Approx. 10	Approx. 2

**PROCEDURAL MATTERS**

None at this time.

Respectfully submitted,

HOLLAND & HART, LLP



Michael H. Feldewert  
Jordan L. Kessler  
Post Office Box 2208  
Santa Fe, New Mexico 87504-2208  
(505) 988-4421  
(505) 983-6043 Facsimile  
[mfeldewert@hollandhart.com](mailto:mfeldewert@hollandhart.com)  
[jlkessler@hollandhart.com](mailto:jlkessler@hollandhart.com)

**ATTORNEYS FOR COG OPERATING LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on November 25, 2015, I served a copy of the foregoing document to the following via electronic mail to:

Earl DeBrine, Jr., Esq.  
Jennifer L. Bradfute  
Modrall, Sperling, Roehl, Harris & Sisk, P.A.  
Post Office Box 2168  
Albuquerque, New Mexico 87103-2168  
(505) 848-1800  
[edebrine@modrall.com](mailto:edebrine@modrall.com)  
[jlbr@modrall.com](mailto:jlbr@modrall.com)

  
Jordan L. Kessler