

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

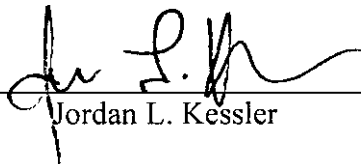
**APPLICATION OF COG OPERATING LLC FOR A NON-STANDARD SPACING AND  
PRORATION UNIT AND COMPULSORY POOLING, EDDY COUNTY, NEW  
MEXICO.**

**CASE NO. 15447**

**AFFIDAVIT**

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

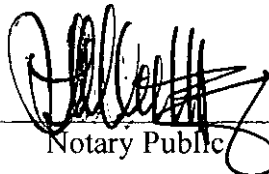
Jordan L. Kessler, attorney in fact and authorized representative of COG Operating LLC  
the Applicant herein, being first duly sworn, upon oath, states that the above-referenced  
Application was provided under the notice letters attached hereto.

  
\_\_\_\_\_  
Jordan L. Kessler

SUBSCRIBED AND SWORN to before this 16th day of March 2016 by Jordan L.  
Kessler.



**OFFICIAL SEAL  
LISAMARIE ORTIZ  
NOTARY PUBLIC-STATE OF NEW MEXICO**  
My commission expires 01/14/19

  
\_\_\_\_\_  
Notary Public

**BEFORE THE OIL CONSERVATION  
DIVISION**  
Santa Fe, New Mexico  
Exhibit No. 5  
Submitted by: **COG OPERATING LLC**  
Hearing Date: March 17, 2016

HOLLAND & HART<sup>LLP</sup>



**Jordan L. Kessler**  
**Associate**

**Phone** (505) 988-4421

**Fax** (505) 983-6043

**JLKessler@hollandhart.com**

February 26, 2016

**VIA CERTIFIED MAIL**  
**CERTIFIED RECEIPT REQUESTED**

**TO:** Devon Energy Production Company, L.P.  
333 West Sheridan Avenue  
Oklahoma City, OK 73102-5015

**Re: Application of COG Operating LLC for a non-standard spacing and  
proration unit and compulsory pooling, Eddy County, New Mexico.  
Admiral Federal Com No. 2H Well.**

Ladies & Gentlemen:

This letter is to advise you that COG Operating LLC, has filed the enclosed application with the New Mexico Oil Conservation Division. This application will be set for hearing before a Division Examiner at 8:15 a.m. on March 17, 2015. 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 19.15.4.13.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.

If you have any questions about this matter please contact Andrew Wenzel, at (432) 685-2514 or [awenzel@concho.com](mailto:awenzel@concho.com).

Sincerely,

Jordan L. Kessler

**ATTORNEY FOR COG OPERATING LLC**

**Holland & Hart LLP**

**Phone** (505) 988-4421 **Fax** (505) 983-6043 **www.hollandhart.com**

110 North Guadalupe Suite 1 Santa Fe, New Mexico 87501 **Mailing Address** P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Boulder Carson City Colorado Springs Denver Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Reno Salt Lake City Santa Fe Washington, D.C. ☐

HOLLAND & HART<sup>LLP</sup>



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**Associate**

**Phone** (505) 988-4421

**Fax** (505) 983-6043

**JLKessler@hollandhart.com**

February 26, 2016

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**TO: OFFSETTING LESSEES AND OPERATORS**

**RE: Application of COG Operating LLC for a non-standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico.**  
**Admiral Federal Com No. 2H Well.**

This letter is to advise you that COG Operating LLC has filed the enclosed application with the New Mexico Oil Conservation Division. *Your interests are not being pooled under this application*, but as a lessee or operator in an offsetting tract, 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 17, 2016. 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 19.15.4.13.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.

If you have any questions about this matter please contact Andrew Wenzel, at (432) 685-2514 or [awenzel@concho.com](mailto:awenzel@concho.com).

Sincerely,

Jordan L. Kessler

**ATTORNEY FOR COG OPERATING LLC**

**Holland & Hart<sup>LLP</sup>**

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Aspen Boulder Carson City Colorado Springs Denver Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Reno Salt Lake City Santa Fe Washington, D.C. ☐

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333 West Sheridan Avenue  
Oklahoma City, OK 73102-5015

Devon Energy Production Company, L.P.  
333 West Sheridan Avenue  
Oklahoma City, OK 73102-5015

EOG Resources, Inc.  
5509 Champions Drive  
Midland, TX 79706

7015 1730 0000 3811 164631

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Certified Mail Fee \$ 3.45

Extra Services & Fees (check box, add fee as appropriate)

<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ <u>2.70</u>
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$

Devon Energy Production Company, L.P.  
 333 West Sheridan Avenue  
 Oklahoma City, OK 73102

USPS SANTA FE, NM 87504  
 FEB 29 2016  
 DE VARGAS POST OFFICE

PS Form 3811, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- 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 Production Company, L.P.  
 333 West Sheridan Avenue  
 Oklahoma City, OK 73102

9590 9403 0643 5183 8222 61

2. Article Number (Transfer from service label)

7015 1730 0000 3811 164631

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature X. J. ... ☐ Add

B. Received by (Printed Name) ... C. Date of Delivery ...

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

3. Service Type

<input type="checkbox"/> Adult Signature	<input checked="" type="checkbox"/> Registered Mail™
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<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Restricted Delivery

USPS Priority Mail Express®

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

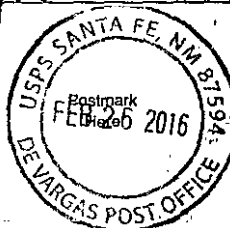
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**OFFICE** *COOK / Adm*

Certified Mail Fee	\$ <u>3.45</u>
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ <u>2.80</u>
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ _____



Devon Energy Production  
 Company, L.P.  
 333 West Sheridan Avenue  
 Oklahoma City, OK 73102

See reverse for instructions

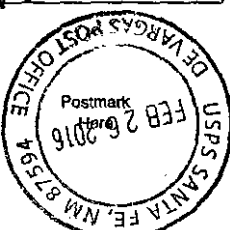
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**OFFICE** *COOK / Adm*

Certified Mail Fee	\$ <u>3.45</u>
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ <u>2.80</u>
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ _____



EOG Resources, Inc.  
 5509 Champions Drive  
 Midland, TX 79706

See reverse for instructions

English

Customer Service

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Have questions? We're here to help.



Get Easy Tracking Updates &gt;

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Tracking Number: 701517300000 38196456



Delivered

Updated Delivery Day: Monday, February 29, 2016

## Product &amp; Tracking Information

Postal Product:

Features:  
Certified Mail™

## Available Actions

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
February 29, 2016, 7:59 am	Delivered	OKLAHOMA CITY, OK 73102



February 29, 2016, 7:48 am	Arrived at Unit	OKLAHOMA CITY, OK 73102
February 28, 2016, 11:45 pm	Departed USPS Facility	OKLAHOMA CITY, OK 73107
February 28, 2016, 9:34 am	Arrived at USPS Facility	OKLAHOMA CITY, OK 73107
February 26, 2016, 10:26 pm	Departed USPS Facility	ALBUQUERQUE, NM 87101
February 26, 2016, 8:32 pm	Arrived at USPS Facility	ALBUQUERQUE, NM 87101

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Tracking (or receipt) number

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## Manage Incoming Packages

Track all your packages from a dashboard.  
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Tracking Number: 701506400006 16463780



Delivered

Updated Delivery Day: Tuesday, March 1, 2016

## Product &amp; Tracking Information

Postal Product:

Features:

Certified Mail™

## Available Actions

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
March 1, 2016 , 7:27 am	Delivered, Individual Picked Up at Postal Facility	MIDLAND, TX 79702

Your item was picked up at a postal facility at 7:27 am on March 1, 2016 in MIDLAND, TX 79702.

March 1, 2016 , 6:57 am	Available for Pickup	MIDLAND, TX 79702
February 29, 2016 , 12:02 pm	Business Closed	MIDLAND, TX 79706
February 29, 2016 , 7:14 am	Arrived at Unit	MIDLAND, TX 79701
February 29, 2016 , 4:24 am	Departed USPS Facility	MIDLAND, TX 79711
February 28, 2016 , 1:17 pm	Arrived at USPS Facility	MIDLAND, TX 79711
February 26, 2016 , 9:39 pm	Departed USPS Facility	ALBUQUERQUE, NM 87101
February 26, 2016 , 8:32 pm	Arrived at USPS Facility	ALBUQUERQUE, NM 87101

## Track Another Package

Tracking (or receipt) number

Track It

## Manage Incoming Packages

Track all your packages from a dashboard.  
No tracking numbers necessary.

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