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**STATE OF NEW MEXICO
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES
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. 15607

PRE-HEARING STATEMENT

Patrick Fowlkes ("Fowlkes"), provisionally provides this Pre-Hearing Statement as required by the rules of the Division.

APPEARANCES

PATRICK FOWLKES

PATRICK FOWLKE'S ATTORNEY

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APPLICANT

COG OPERATING LLC

APPLICANT'S ATTORNEY

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STATEMENT OF THE CASE

Applicant COG Operating LLC seeks an order (1) creating a 223.77-acre, more or less, spacing and proration unit comprised of the E/2 W/2 of Section 28 and the NE/4 NW/4 and Lot 2 of irregular Section 33, Township 26 South, Range 28 East, NMPM, Eddy County, New Mexico; and (2) pooling all uncommitted interests in the Bone Spring Formation underlying this acreage.

Opponent, Patrick Fowlkes, is the owner of an approximate 0.4965% unleased mineral interest in the lands COG seeks to force pool. Mr. Fowlkes contends that COG did not provide adequate or timely lease offers in the process of seeking his voluntary participation. In addition to objecting to the compulsory pooling of his interest, Mr. Fowlkes objects to the pooling of the entire vertical extent of the Bone Spring formation without limitation.

PROPOSED EVIDENCE

<u>OPPONENT:</u> PATRICK FOWLKES	<u>EST. TIME</u>	<u>EXHIBITS</u>
<u>WITNESSES:</u> Patrick Fowlkes, Mineral Interest Owner 20 Min 4 exhibits	20 Minutes	4
Opponent may call a Petroleum Landman as a witness	15 Minutes	TBD
<u>APPLICANT:</u> COG OPERATING LLC	<u>EST. TIME</u>	<u>EXHIBITS</u>
<u>WITNESSES:</u>		

PROCEDURAL MATTERS

None.

Respectfully submitted,

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Attorneys for Patrick Fowlkes

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following counsel of record by electronic mail on December 8, 2016:

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