

**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,
LEA COUNTY, NEW MEXICO**

CASE NO. 15810

PRE-HEARING STATEMENT

Weldon Baird and the Beulah M. Baird Trust, ("Baird Trust"), provisionally provides this Pre-Hearing Statement as required by the rules of the Division.

APPEARANCES

Weldon Baird and Beulah M. Baird Trust,
by Brad J. Hellums and Page Baird, on
behalf of Weldon R. Baird and Norma
Loving, Trustees

**WELDON BAIRD AND BEULAH M.
BAIRD TRUST'S ATTORNEY**

J. Scott Hall, Esq.
Sharon T. Shaheen, Esq.
MONTGOMERY & ANDREWS, P.A.
P.O. Box 2307
Santa Fe, NM 87504-2307
Tele (505) 982-3873
shall@montand.com
sshaheen@montand.com

**APPLICANT
COG OPERATING LLC**

APPLICANT'S ATTORNEY

Michael H. Feldewert, Esq.
Jordan L. Kessler, Esq.
P.O. Box 2208
Santa Fe, NM 87504-2208
Telephone: (505) 988-4421
Fax: (505) 983-6043
Email: mfeldewert@hollandhart.com
jlkessler@hollandhart.com

**RECEIVED OCD
2011 AUG 24 P 3: 52**

STATEMENT OF THE CASE

Applicant COG Operating LLC seeks an order (1) creating a 320-acre, more or less, spacing and proration unit comprised of the E/2 W/2 of Section 16 and the E/2 W/2 of Section 21, Township 25 South, Range 35 East, NMPM, Lea County, New Mexico; and (2) pooling all uncommitted interests in the Bone Spring formation.

The Baird Trust is the owner of an unleased mineral interest within Applicant's proposed unit. Upon information and belief, COG did not exercise due diligence to negotiate a voluntary agreement. No witness testimony by the Trust or on its behalf is anticipated, but the Trust reserves the right to cross-examine Applicant's witnesses.

PROPOSED EVIDENCE

<u>OPPONENT:</u> WELDON BAIRD AND BEULAH M. BAIRD TRUST, by Brad J. Hellums and Page S. Baird, on behalf of Weldon R. Baird and Norma Loving, Trustees	<u>EST. TIME</u>	<u>EXHIBITS</u>
		5-6

WITNESSES:

<u>APPLICANT:</u> COG OPERATING LLC	<u>EST. TIME</u>	<u>EXHIBITS</u>
-------------------------------------	------------------	-----------------

WITNESSES:

PROCEDURAL MATTERS

None

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: Sharon T. Shaheen

J. Scott Hall
Sharon T. Shaheen
Post Office Box 2307
Santa Fe, New Mexico 87504-2307
Telephone: (505) 982-3873
Email: shall@montand.com
sshaheen@montand.com

*Attorneys for Opponent Weldon Baird and
Beulah M. Baird Trust*

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 August 24, 2017:

Michael H. Feldewert, Esq.
Jordan L. Kessler, Esq.
P.O. Box 2208
Santa Fe, NM 87504-2208
Telephone: (505) 988-4421
Fax: (505) 983-6043
Email: mfeldewert@hollandhart.com
jlkessler@hollandhart.com

Sharon T. Shaheen
Sharon T. Shaheen