

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

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

**CASE NO. 23304**

**NOTICE OF SUPPLEMENTAL EXHIBITS**

As requested by the Division at the April 6, 2023, hearing, COG Operating LLC is providing the following supplemental exhibits:

1. Supplemental Self-Affirmed Statement of Dana S. Hardy (Exhibit D);
2. Supplemental Sample Notice Letter sent to the New Mexico State Land Office and the Bureau of Land Management (Exhibit D-1);
3. Supplemental Chart of Notice (Exhibit D-2); and
4. Supplemental Copies of Certified Mail Receipts and Returns (Exhibit D-3).

Respectfully submitted,

HINKLE SHANOR, LLP

*/s/ Dana S. Hardy*

Dana S. Hardy

Jaclyn McLean

Yarithza Peña

P.O. Box 2068

Santa Fe, NM 87504-2068

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Facsimile: (505) 982-8623

[dhardy@hinklelawfirm.com](mailto:dhardy@hinklelawfirm.com)

[jmclean@hinklelawfirm.com](mailto:jmclean@hinklelawfirm.com)

[ypena@hinklelawfirm.com](mailto:ypena@hinklelawfirm.com)

*Counsel for COG Operating LLC.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice of Supplemental Exhibits was sent to the following counsel of record by electronic mail on May 2, 2023.

Earl E. DeBrine, Jr.  
Deana M. Bennett  
Jamie L. Allen  
MODRALL, SPERLING, ROEHL,  
HARRIS & SISK, P.A.  
Post Office Box 2168  
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Albuquerque, New Mexico 87103-2168  
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edebrine@modrall.com  
dbennett@modrall.com  
jallen@modrall.com  
*Attorneys for Chevron U.S.A. Inc.*

/s/ Dana S. Hardy  
Dana S. Hardy

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**CASE NO. 23304**

**SUPPLEMENTAL SELF-AFFIRMED  
STATEMENT OF DANA S. HARDY**

1. I am the attorney in fact and authorized representative of COG Operating LLC, (“COG”) the Applicant herein. I previously submitted a self-affirmed statement in this matter.

2. At the April 6, 2023, hearing, the Division requested that COG provide notice to the New Mexico State Land Office (“NMSLO”) and the Bureau of Land Management (“BLM”) to inform both NMSLO and the BLM that COG had applied for approval of a Non-Standard Spacing Unit.

3. **Exhibit D-1** is a Sample Notice Letter sent to the NMSLO and BLM along with a copy of the Application in this case.

4. **Exhibit D-2** is a Supplemental Notice Chart, which includes the date the updated Notice Letter was sent to the NMSLO and BLM and the date each return was received.

5. Copies of the certified mail green cards and white slips from the NMSLO and BLM are attached as **Exhibit D-3**.

6. I understand that this Supplemental Self-Affirmed Statement will be used as written testimony in this case. I affirm that my testimony above is true and correct and is made under penalty of perjury under the laws of the State of New Mexico. My testimony is made as of the date handwritten next to my signature below.

**COG Operating, LLC  
Case No. 23304  
Exhibit D**

/s/ Dana S. Hardy  
Dana S. Hardy

May 2, 2023  
Date



hinklelawfirm.com

# HINKLE SHANOR LLP

ATTORNEYS AT LAW

P.O. BOX 2068

SANTA FE, NEW MEXICO 87504

505-982-4554 (FAX) 505-982-8623

WRITER:  
Dana S. Hardy, Partner  
dhardy@hinklelawfirm.com

April 10, 2023

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

**TO ALL PARTIES ENTITLED TO NOTICE**

**Re: Case No. 23304 – Application of COG Operating LLC for Compulsory Pooling and Approval of Non-Standard Spacing Unit, Eddy County, New Mexico.**

To whom it may concern:

This letter is to advise you that the enclosed application was filed with the New Mexico Oil Conservation Division. The hearing will be conducted on **May 5, 2023**, beginning at 8:15a.m.

Hearings are currently conducted remotely. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <https://www.emnrd.nm.gov/ocd/hearing-info/>. 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.

Pursuant to Division Rule 19.15.4.13.B, a party who intends to present evidence at the hearing shall file a pre-hearing statement and serve copies on other parties, or the attorneys of parties who are represented by counsel, at least four business days in advance of a scheduled hearing, but in no event later than 5:00 p.m. Mountain Time, on the Thursday preceding the scheduled hearing date. The statement must be submitted through the OCD E-Permitting system (<https://wwwapps.emnrd.nm.gov/ocd/ocdpermitting/> ) or via e-mail to [ocd.hearings@emnrd.nm.gov](mailto:ocd.hearings@emnrd.nm.gov) 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.

Please contact Shelley C. Klingler, Senior Land Negotiator for COG Operating LLC, by phone at 432-688-9027 if you have any questions regarding this matter.

Sincerely,

/s/ Dana S. Hardy

Dana S. Hardy

Enclosure

**COG Operating, LLC**  
**Case No. 23304**  
**Exhibit D-1**

PO BOX 10  
ROSWELL, NEW MEXICO 88202  
(575) 622-6510  
FAX (575) 623-9332

7601 JEFFERSON ST NE · SUITE 180  
ALBUQUERQUE, NEW MEXICO 87109  
505-858-8320  
(FAX) 505-858-8321

PO BOX 2068  
SANTA FE, NEW MEXICO 87504  
(505) 982-4554  
FAX (505) 982-8623

**STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
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EDDY COUNTY, NEW MEXICO**

**CASE NO. 23304**

**NOTICE LETTER CHART**

<b>PARTY</b>	<b>NOTICE LETTER SENT</b>	<b>RETURN RECEIVED</b>
Bureau of Land Management 301 Dinosaur Trail Santa Fe, NM 87508	04/10/23	04/14/23
New Mexico State Land Office P.O. Box 1148 Santa Fe, NM 87504	04/10/23	04/14/23

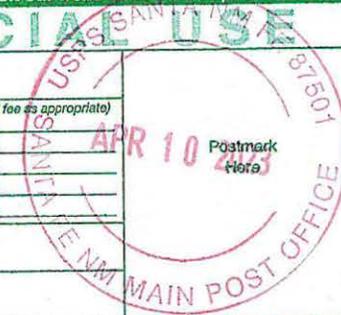
**COG Operating, LLC  
Case No. 23304  
Exhibit D-2**

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

7022 1670 0002 1181 7221

Certified Mail Fee		
\$		
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<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		
\$		
Total Postage and Fees		
\$		
Sent To		
Bureau of Land Management		
301 Dinosaur Trail		
Santa Fe, NM 87508		
23304 - COG Flaming Snail		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>Bureau of Land Management 301 Dinosaur Trail Santa Fe, NM 87508</p> <p style="text-align: right; font-size: 0.8em;">23304 - COG Flaming Snail</p> </div> <div style="text-align: center; margin: 5px 0;">             9590 9402 7635 2122 8626 55         </div> <p>2. Article Number (Transfer from service label) <b>7022 1670 0002 1181 7221</b></p>	<p>A. Signature <b>X</b> <i>R Duman</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Regina Duman</i> C. Date of Delivery <i>4-12-23</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <div style="text-align: center; border: 2px solid black; padding: 10px; margin: 10px 0;"> <p style="font-size: 2em; font-weight: bold; color: green;">RECEIVED</p> <p style="font-size: 1.5em; font-weight: bold; color: green;">APR 14 2023</p> </div> <p>3. Service Type: Santa Fe NM 87508 <input type="checkbox"/> Priority Mail Express®</p> <table style="width: 100%; font-size: 0.8em;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery		<input type="checkbox"/> Collect on Delivery Restricted Delivery		<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Registered Mail™																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Signature Confirmation™																
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Collect on Delivery																	
<input type="checkbox"/> Collect on Delivery Restricted Delivery																	
<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																	
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt																

**COG Operating, LLC**  
Case No. 23304  
Exhibit D-3

**U.S. Postal Service™**  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$ \_\_\_\_\_

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

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

**Total Postage and Fees** \$ \_\_\_\_\_

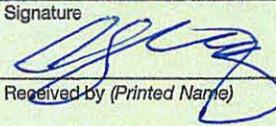
Sent To

New Mexico State Land Office  
P.O. Box 1148,  
Santa Fe, NM 87504

23304 - COG Flaming Snail

Postmark Here  
**APR 10 2023**

PS Form 3800, April 2015; PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent  <input checked="" type="checkbox"/>  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>
<p>1. Article Addressed to:</p> <p>New Mexico State Land Office  P.O. Box 1148,  Santa Fe, NM 87504</p> <p>23304 - COG Flaming Snail</p>  <p>9590 9402 7543 2098 9546 75</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  <input checked="" type="checkbox"/> No  If YES, enter delivery address below:</p> <p><b>RECEIVED</b>  <b>APR 14 2023</b></p>
<p>2. Article Number (Transfer from service label)</p> <p>7022 1670 0002 1181 6736</p>	<p>3. Service Type Hinkle Shanor LLP  Santa Fe NM 87504</p> <p><input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery  <input type="checkbox"/> Insured Mail  <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt