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

APPLICATION OF COG OPERATING LLC FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

CASE NO. 23303

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

CASE NO. 23304

COG OPERATING LLC'S MOTION TO VACATE PRE-HEARING ORDER AND SET CASES FOR HEARING BY AFFIDAVIT

COG Operating LLC ("COG") requests that the Division: (1) vacate the Pre-Hearing Order, issued on February 2, 2023; and (2) set the cases for hearing by affidavit on April 6, 2023. In support of this Motion, COG states the following:

- 1. The Pre-Hearing Order, issued on February 2, 2023, set the above-referenced matters for a contested hearing on April 6, 2023 based on Chevron U.S.A. Inc.'s ("Chevron") Entry of Appearance and Notice of Opposition to Presentation by Affidavit, filed January 20, 2023.
- 2. Chevron filed a withdrawal of its objection to the cases being presented by affidavit on March 30, 2023, while preserving its right to seek de novo review. As a result, COG requests that the Division vacate the Pre-Hearing Order and set the cases for hearing by affidavit on the April 6, 2023 hearing docket.
- Counsel for Chevron was contacted regarding this Motion and does not oppose
 COG's request.

Respectfully submitted,

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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 April 3, 2023

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