

**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.

3. 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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