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. 23960

EXHIBIT INDEX

Compulsory Pooling Checklist

Exhibit A	Self-Affirmed Statement of Gianna Romero
A-1	Application & Proposed Notice of Hearing
A-2	C-102
A-3	Plat of Tracts, Tract Ownership, Applicable Lease Numbers, Unit Recapitulation, Pooled Parties
A-4	Sample Well Proposal Letter & AFE
A-5	Sample Ratification Agreement
A-6	Chronology of Contact
Exhibit B	Self-Affirmed Statement of Chris Wray
B-1	Location Map
B-2	Bone Spring Subsea Structure Map
B-3	Cross Section Map
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Exhibit C	Self-Affirmed Statement of Dana S. Hardy
C-1	Notice Letters to All Interested Parties
C-2	Chart of Notice to All Interested Parties
C-3	Copies of Certified Mail Receipts and Returns
C-4	Affidavit of Publication for November 15, 2023

COMPULSORY POOLING APPLICATION CHECKLIST

ALL INFORMATION IN THE APPLICATION MUST BE SUPPORTED BY SIGNED AFFIDAVITS

Case: 23960	APPLICANT'S RESPONSE
Date	December 7, 2023
Applicant	COG Operating LLC
Designated Operator & OGRID (affiliation if applicable)	OGRID No. 229137
Applicant's Counsel:	Hinkle Shanor LLP
Case Title:	Application of COG Operating LLC for Compulsory Pooling Eddy County, New Mexico
Entries of Appearance/Intervenors:	None
Well Family	Rock Jelly
Formation/Pool	
Formation Name(s) or Vertical Extent:	Bone Spring
Primary Product (Oil or Gas):	Oil
Pooling this vertical extent:	Bone Spring
Pool Name and Pool Code:	Corral Canyon; Bone Spring (13354)
Well Location Setback Rules:	Statewide
Spacing Unit	
Type (Horizontal/Vertical)	Horizontal
Size (Acres)	480 acres
Building Blocks:	quarter-quarter
Orientation:	North/South
Description: TRS/County	E/2 E/2 of Sections 3, 10, and 15, Township 26 South, Range 29 East, Eddy County
Standard Horizontal Well Spacing Unit (Y/N), If No, describe and is approval of non-standard unit requested in this application?	Yes.
Other Situations	
Depth Severance: Y/N. If yes, description	No.
Proximity Tracts: If yes, description	No.
Proximity Defining Well: if yes, description	N/A
Applicant's Ownership in Each Tract	Exhibit A-3
Well(s)	
Name & API (if assigned), surface and bottom hole location, footages, completion target, orientation, completion status (standard or non-standard)	Add wells as needed
Well #1 Released to Imaging: 12/5/2023 2:06:31 PM	Rock Jelly Federal Com 701H (API #) SHL: 210' FNL & 1055' FEL (Lot 1), Section 3, T26S, R29E BHL: 50' FSL & 330' FEL (Unit P), Section 15, T26S, R29E Completion Target: Bone Spring (Approx. 8,800' TVD)

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Exhibit A-3
Exhibit B-1
Exhibit B-1
Exhibit B-2
Exhibit B-3
Exhibit B-4
N/A
this checklist is complete and accurate.
Dana S. Hardy
/s/ Dana S. Hardy

12/05/23

Date:

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

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

CASE NO. 23960

SELF-AFFIRMED STATEMENT OF GIANNA ROMERO

- 1. I am a Senior Land Negotiator for COG Operating LLC ("COG"). I am over 18 years of age, have personal knowledge of the matters addressed herein, and am competent to provide this Self-Affirmed Statement. I have previously testified before the New Mexico Oil Conservation Division ("Division") and my credentials as an expert in petroleum land matters were accepted and made a matter of record.
- 2. I am familiar with the land matters involved in the above-referenced case. Copies of COG's application and proposed hearing notice are attached as **Exhibit A-1**.
- 3. None of the parties proposed to be pooled in this case indicated opposition to this matter proceeding by affidavit, therefore I do not expect any opposition at hearing.
- 4. COG seeks an order pooling all uncommitted interests in the Bone Spring formation underlying a 480-acre, more or less, standard horizontal spacing unit comprised of the E/2 E/2 of Sections 3, 10, and 15, Township 26 South, Range 29 East, Eddy County, New Mexico ("Unit").
- 5. The Unit will be dedicated to the **Rock Jelly Federal Com 701H** well ("Well"), which will be drilled from a surface hole location in Lot 1 (NE/4 NE/4 equivalent) of Section 3 to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 15. The Well will be completed in the Corral Canyon; Bone Spring, Pool (Code 13354).
 - 6. The completed interval of the Well will be orthodox.
 - 7. **Exhibit A-2** contains the C-102 for the Well.

COG Operating LLC Case No. 23960 Exhibit A

- 8. **Exhibit A-3** contains a plat identifying ownership by tract in the Unit. This exhibit also includes any applicable lease numbers, a unit recapitulation, and the interests COG seeks to pool highlighted in yellow. All of the parties are locatable in that COG believes it located valid addresses for them.
- 9. COG has conducted a diligent search of all county public records including phone directories and computer databases, as well as internet searches, to locate the interest owners it seeks to pool.
- 10. **Exhibit A-4** contains a sample well proposal letter and AFE sent to the working interest owners for the Well. The estimated costs reflected on the AFE are fair and reasonable and comparable to the cost of other wells of similar depth and length drilled in the subject formation in the area.
- 11. **Exhibit A-5** contains a sample ratification agreement that was sent to the overriding royalty interest owners in the wells.
- 12. In my opinion, COG made a good-faith effort to reach voluntary joinder of uncommitted interests in the Wells as indicated by the chronology of contact described in **Exhibit A-6**.
- 13. COG requests overhead and administrative rates of \$8,000 per month while the Wells are being drilled and \$800 per month while the Wells are producing. These rates are fair and are comparable to the rates charged by COG and other operators in the vicinity.
- 14. The attached exhibits were either prepared by me or under my supervision or were compiled from company business records.
- 15. In my opinion, the granting of COG's application for compulsory pooling would serve the interests of conservation, the protection of correlative rights, and the prevention of waste.

16. I understand this Self-Affirmed Statement will be used as written testimony in the subject cases. 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.

Hianna lomero
Gianna Romero

11 | 30 | 23 Date

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. 23960

APPLICATION

In accordance with NMSA 1978, § 70-2-17, COG Operating LLC ("COG" or "Applicant"), through its undersigned attorneys, files this application with the Oil Conservation Division ("Division") seeking an order pooling all uncommitted interests in the Bone Spring formation underlying a 480-acre, more or less, standard horizontal spacing unit comprised of the E/2 E/2 of Sections 3, 10, and 15, Township 26 South, Range 29 East, Eddy County, New Mexico ("Unit"). In support of this application, COG states the following.

- 1. Applicant (OGRID No. 229137) is a working interest owner in the Unit and has the right to drill wells thereon.
- 2. Applicant seeks to dedicate the Unit to the **Rock Jelly Federal Com 701H** well ("Well"), which will be drilled from a surface hole location in Lot 1 (NE/4 NE/4 equivalent) of Section 3 to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 15.
 - 3. The completed interval of the Well will be orthodox.
- 4. Applicant has sought and been unable to obtain voluntary agreement for the development of these lands from all of the interest owners in the Unit.
- 5. The pooling of interests will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

COG Operating LLC Case No. 23960 Exhibit A-1 Received by OCD: 12/5/2023 1854:20 PMM

Page 9 20 658

6. In order to permit Applicant to obtain its just and fair share of the oil and gas

underlying the subject lands, all uncommitted interests in the Unit should be pooled and Applicant

should be designated the operator of the proposed horizontal well and the Unit.

WHEREFORE, Applicant requests that this application be set for hearing before an

Examiner of the Oil Conservation Division on December 7, 2023, and, after notice and hearing as

required by law, the Division enter an order:

A. Pooling all uncommitted interests in the Unit;

B. Approving the initial well in the Unit;

C. Designating Applicant as the operator of the Unit and the horizontal well to be drilled

thereon;

D. Authorizing Applicant to recover its costs of drilling, equipping, and completing the

Well;

E. Approving the actual operating charges and costs of supervision, together with a

provision adjusting the rates pursuant to the COPAS accounting procedures; and

F. Imposing a 200% charge for the risk assumed by Applicant in drilling and completing

the wells against any working interest owner who does not voluntarily participate in

the drilling of the Wells.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ Dana S. Hardy

Dana S. Hardy

Jaclyn M. McLean

P.O. Box 2068

Santa Fe, NM 87504-2068

Phone: (505) 982-4554

Facsimile: (505) 98208623 dhardy@hinklelawfirm.com jmclean@hinklelawfirm.com Counsel for COG Operating LLC Application of COG Operating LLC for Compulsory Pooling, Eddy County, New Mexico. COG Operating LLC ("Applicant") seeks an order pooling all uncommitted interests in the Bone Spring formation underlying a 480-acre, more or less, standard horizontal spacing unit comprised of the E/2 E/2 of Sections 3, 10, and 15, Township 26 South, Range 29 East, Eddy County, New Mexico ("Unit"). Applicant seeks to dedicate the Unit to the Rock Jelly Federal Com 701H well ("Well"), which will be drilled from a surface hole location in Lot 1 (NE/4 NE/4 equivalent) of Section 3 to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 15. The completed interval of the Well will be orthodox. Also to be considered will be the cost of drilling and completing the Well and the allocation of the costs, the designation of Applicant as the operator of the Well, and a 200% charge for the risk involved in drilling and completing the Well. The Well is located approximately 12 miles southeast of Malaga, New Mexico.

Case No. 23960

Exhibit A-2

State of New Mexico DISTRICT I 1625 N. FRENCH DR., HOBBS, NM 88240 Phone: (575) 393-6161 Fax: (575) 393-0720 Energy, Minerals & Natural Resources Department

DISTRICT II 811 S. FIRST ST., ARTESIA, NM 88210 Phone: (575) 748-1283 Fax: (575) 748-9720

CONSERVATION DIVISION 1220 SOUTH ST. FRANCIS DR. Santa Fe, New Mexico 87505

Form C-102 Revised August 1, 2011 Submit one copy to appropriate District Office

DISTRICT III 1000 RIO BRAZOS RD., AZTEC, NM 87410 Phone: (505) 334-6178 Fax: (505) 334-6170

□ AMENDED REPORT

Page 12 of 58

DISTRICT IV 1220 S. ST. FRANCIS DR., SANTA FE, NM 87505 Phone: (505) 476-3460 Fax: (505) 476-3462

	WELL LOCATION AND	ACREAGE DEDICATION PLAT		
API Number	umber Pool Code Pool Name			
30-015-47583	13354	Corral Canyon; Bone Sp	oring	
Property Code	Prop	erty Name	Well Number	
329756	ROCK JELLY	701H		
OGRID No.	•	ator Name	Elevation	
229137	COG OPE	RATING, LLC	2978.0'	

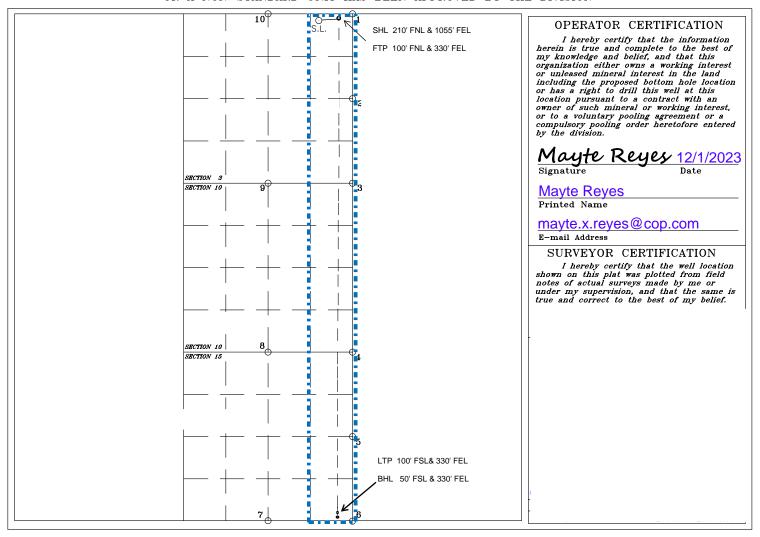
Surface Location

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
1	3	26-S	29-E		210	NORTH	1055	EAST	EDDY

Bottom Hole Location If Different From Surface

UL or lot No.	Section	Townshi	ip	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
Р	15	26-	S	29-E		50	SOUTH	330	EAST	EDDY
Dedicated Acr	es Joint o	r Infill	Con	solidation (Code Or	der No.				
480										

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION



ROCK JELLY E2E2 FED COM (BONE SPRING) 480 ACRES

Sec. 3		
Sec. 10		
Sec. 15		

TRACT	LEASE	ACRES
TRACT 1	NMNM 013997	80.00
TRACT 2	NMNM 096849	80.00
TRACT 3	NMNM 054291	80.00
TRACT 4	NMNM 058809	80.00
TRACT 5	NMNM 044532	160.00
		480.00

COG Operating LLC Case No. 23960 Exhibit A-3

Received by OCD: 12/5/2023 1:54:20 PM

WORKING INTEREST OWNER	TRACT 1	TRACT 2	TRACT 3	TRACT 4	TRACT 5	UNIT RECAP
COG Operating LLC	0.08844792	0.15833333	0.16041667	0.16645833	0.33333333	0.90698958
Concho Oil & Gas LLC	0.00000000	0.00833333	0.00625000	0.00020833	0.00000000	0.01479167
WPX Energy Permian, LLC	0.07821875	0.00000000	0.00000000	0.00000000	0.00000000	0.07821875
TOTAL:	0.16666667	0.16666667	0.16666667	0.16666667	0.33333333	1.00000000

PARTIES TO POOL	INTEREST TYPE
WPX ENERGY PERMIAN, LLC	
ATTN: LAND DEPARTMENT	WIO DTI ODDI
333 W SHERIDAN AVE	WIO, RTI, ORRI
OKLAHOMA CITY OK 73102	
OXY USA INC.	
ATTN: LAND DEPARTMENT	
5 Greenway Plaza, Suite 110	
Houston, TX 77046	RTI
EOG RESOURCES INC.	
ATTN: LAND DEPARTMENT	
5509 Champions Drive	
Midland, TX 79706	RTI
EL PASO NATURAL GAS COMPANY	
8645 Railroad Dr.	
El Paso, TX 79904	RTI
PONY OIL OPERATING, LLC	
3100 Monticello Ave, Suite 500	
Dallas, TX 75205	ORRI
MERPEL, LLC	
PO Box 100367	
Fort Worth, TX 76185	ORRI

Received by OCD: 12/5/2023 1:54:20 PM

TD MINERALS LLC	
8111 Westchester Drive, Suite 900	
Dallas, TX 75225	ORRI
LJA CHARITABLE INVESTMENTS, LLC, BY LAURA AND	
JOHN ARNOLD FOUNDATION	
1717 WEST LOOP SOUTH, STE 1800	
HOUSTON TX 77027	ORRI
PENASCO PETROLEUM LLC	
PO BOX 4168	
ROSWELL NM 88202	ORRI
AFC PARTNERSHIP	
2747 Sandalwood Ave	
Henderson, NV 89074	ORRI
SITIO PERMIAN, LLC	
1401 LAWRENCE ST., SUITE 1750	
DENVER, CO 80202	ORRI
POST OAK CROWN MINERALS, LLC	
34 S. Wynden Dr., Suite 210	
Houston, TX 77056	ORRI
SORTIDA RESOURCES LLC	
P.O. Box 50820	
Midland, TX 79710	ORRI
OAK VALLEY MINERAL AND LAND FUND, LP	
PO Box 50820	
Midland, TX 79710	ORRI
PEGASUS RESOURCES, LLC	
PO BOX 733980	
DALLAS, TX 75373	ORRI
BARBE DEVELOPMENT, LLC	
PO Box 2107	
Roswell, NM 88202	ORRI
CHAD BARBE	
PO Box 2107	
Roswell, NM 88202	ORRI
XTO HOLDINGS, LLC	
ATTN: LAND DEPARTMENT	
22777 Springwoods Village Pkwy	
Spring, TX 77389	PRODUCTION PAYMENT



Gianna Romero Sr. Land Negotiator 600 W. Illinois Ave. Midland, Texas 79701 Office 3CC-05-5146 432-221-0421 Gianna.Romero@conocophillips.com

September 21, 2023

WPX Energy Permian, LLC Attn: Land Department 333 West Sheridan Avenue Oklahoma City, OK 73102 Via Certified Mail, Return Receipt Requested No. 9589 0710 5270 0581 8677 85

Re: Well Name Change – INFORMATIONAL ONLY

Rock Jelly Fed Com 501H, 504H, & 505H Sections 3, 10, & 15, T26S-R29E Eddy County, New Mexico

Dear Working Interest Owner,

Reference is made to those two certain Well Proposal Letters dated August 29, 2023 titled "Well Proposal – Rock Jelly Fed Com #504H & #505H" and "Well Proposal – Rock Jelly Fed Com #501H" (collectively, the "Well Proposals"), covering lands in Sections 3, 10, & 15, T26S-R29E, Eddy County, New Mexico.

This letter shall serve to inform you that well names have been updated as indicated in the chart below. All other terms of the Well Proposals remain unchanged.

Previous Well Name	Updated Well Name	API
Rock Jelly Fed Com #505H	Rock Jelly Federal Com #704H	30-015-47580
Rock Jelly Fed Com #504H	Rock Jelly Federal Com #703H	30-015-47581
Rock Jelly Fed Com #501H	Rock Jelly Federal Com #701H	30-015-47583

Should you have any questions, please contact the undersigned at the letterhead address.

Sincerely,

COG Operating LLC

Gianna Romero, CPL

Dianne Romero

COG Operating LLC Case No. 23960 Exhibit A-4



Gianna Romero Sr. Land Negotiator 600 W. Illinois Ave. Midland, Texas 79701 Office 3CC-05-5146 432-221-0421 Gianna.Romero@conocophillips.com

August 29, 2023

WPX Energy Permian, LLC Attn: Land Department 333 West Sheridan Avenue Oklahoma City, OK 73102 Via Certified Mail, Return Receipt Requested No. 9489 0090 0027 6514 8506 87

Re: Well Proposal – Rock Jelly Fed Com #501H

E2E2 of Sections 3, 10, & 15, T26S-R29E 480 acres – Bone Spring Formation Eddy County, New Mexico

Dear Working Interest Owner,

COG Operating LLC ("COG"), as Operator, hereby proposes the drilling of the following horizontal well with a productive lateral located in the E2E2 of Sections 3, 10, and 15, T26S-R29E, Eddy County, New Mexico. The surface pad location will be located in Unit A of Section 3, T26S-R29E (subject to change). Please see details below:

• Rock Jelly Fed Com #501H, to be drilled to a depth sufficient to test the Bone Spring formation at an approximate total vertical depth of 8,800' and approximate measured depth of 24,400'. The surface location for this well is proposed at a legal location in Unit A of Section 3, T26S-R29E, and a bottom hole location at a legal location in Unit P of Section 15, T26S-R29E. The first take point for this well is proposed at a legal location in Unit A of Section 3, T26S-R29E, and the last take point at a legal location in Unit P of Section 15, T26S-R29E. The dedicated horizontal spacing unit will be the E2E2 of Sections 3, 10 & 15, T26S-R29E, Eddy County, New Mexico. The total estimated cost to drill and complete said well is \$15,602,000.00, as shown on the attached Authority for Expenditure ("AFE").

Please note that the proposed locations, TVD's and MD's are subject to change. COG is proposing to drill this well under the terms of the enclosed Operating Agreement. The basic terms of this agreement are as follows:

- 1989 Model Form Operating Agreement with Horizontal Modifications
- Overhead Rates: \$8,000 Drilling / \$800 Production
- Penalties: 100%/300%/300%
- \$100,000 Expenditure Limit

If an agreement is not reached within 30 days of the date of this letter, COG will apply to the New Mexico Oil Conservation Division for compulsory pooling of your interest into a horizontal spacing unit for the proposed well.

August 29, 2023 - Page 2 of 2 Well Proposal – Rock Jelly Fed Com #501H

Please indicate your participation election in the space provided below, sign, and return this letter, along with a signed copy of the enclosed AFE, executed Operating Agreement signature pages, and a copy of your geologic requirements, to the letterhead address.

your geologic requirements, to the letterhead address. Should you have any questions do not hesitate to contact me at 432-221-0421. Sincerely, **COG Operating LLC** Gianna Romero, CPL I/We hereby elect to participate in the drilling and completion of the **ROCK JELLY FED COM #501H.** I/We hereby elect **not** to participate in the drilling and completion of the **ROCK JELLY FED COM #501H.** WPX ENERGY PERMIAN, LLC

AFE Numbers

COG OPERATING LLC AUTHORITY FOR EXPENDITURE Drill & Complete

Well Name Rock Jelly Fed Com #501H

SHL 210' FNL, 1,055' FEL (Sec 3-T26S-R29E) OR UNIT A

BHL 50' FNL, 330' FEL (Sec 15-T26S-R29E) OR UNIT P

Formation BONE SPRING

Legal E2E2 SEC 3, 10, 15, T26S-R29E

Prospect ATLAS 2629
State & County NEW MEXICO, EDDY
Objective DRILL & COMPLETE
Depth 24,400'
TVD 8,800'

Tank Btty
Constrctn(TB)
Pmpq Equip (PEQ) Pre-Set Code PreSpud (PS) Cost Description Drilling (DR) Completions (C) Revision Total Casing(PC) Intangible Costs 145,000.00 D-Lctn/Pits/Roads 205 145,000.00 D-Drilling Overhead 206 12,000.00 12,000.00 209 210 787,000.00 422,000.00 -Daywork Contract D-Directional Drlg Services 422,000.00 D-Fuel & Power 211 136.000.00 136,000.00 145,000.00 D-Bits 213 145,000.00 214 217 218 D-Mud & Chemicals 294,000.00 294,000.00 30,000.00 113,000.00 D-Cement Intermed 113,000.00 D-Prod-2nd Int Cmt 219 168,000.00 168,000.00 D-Float Equipment & Centralizers
D-Csg Crews & Equip 221 91,000.00 99,000.00 99,000.00 222 225 D-Contract Labor 10,000.00 10,000.00 226 227 64,000.00 164,000.00 D-Contract Sprvsn 164,000.00 60,000.00 D-Tstg Csg/Tbg 228 60,000.00 D-Mud Logging Unit D-Rentals-Surface 256,000.00 D-Rentals-Subsrfc 236 118,000.00 118,000.00 244,000.00 5,000.00 244,000.00 D-Trucking/Forklift/Rig Mob 237 238 D-Welding Services **D-Contingency** 243 91,000.00 91,000.00 D-Envrnmtl/Clsd Loop C-Wellbore Frac Prep 402.000.00 304 206,000.00 C-Lctn/Pits/Roads 305 20,000.00 20,000.00 C-Completion OH C-Frac Equipment 306 32,000.00 307 308 C-Frac Chemicals 895,000.00 895,000.00 C-Frac Proppant 309 404.000.00 404,000.00 Frac Proppant Transportation 89,000.00 C-Fuel Delivery & Services 311 89,000.00 312 315 325 C-Water 597.000.00 597,000.00 560,000.00 C-Contract Labor 20,000.00 C-Company Sprysn 326 20.000.00 20.000.00 301,000.00 Contract Sprvsn -Artificial Lift Install 329 96,000.00 C-Perf/Wireline Svo 331 693,000.00 693,000.00 337 339 20,000.00 C-Trucking/Forklift/Rig Mob C-Water Disposal 86,000.00 C-Contingency 343 161,000.00 161,000.00 llout 644,000.00 TB-Damages/Right of Way 351 5,000.00 5,000.00 353 356 80,000.00 435,000.00 TB-Contract Labor 435,000.00 PEQ-Contract Labor 374 127,000.00 \$ 127,000.00 PEQ-Water Disposal
PEQ-HRZ Well Offset Frac 387 550,000.00 550.000.00 391 **Total Intangible Costs** 732,000.00 \$ 2,506,000.00 Tangible Costs 92,000.00 PEQ-Flowback Crews & Equip 392 92,000.00 | \$ D-Surface Casing 401 34,000.00 34,000.00 Intermed Csg D-Production Casing/Liner 403 693,000.00 693,000.00 405 504 505 D-Wellhead Equip 126,000.00 126,000.00 112,000.00 C-Wellhead Equip 61,000.00 61,000.00 TB-Tanks 510 122.000.00 122.000.00 TB-Flowlines/Pipelines TB-Htr Trtr/Seprtr 391,000.00 TB-Electrical System/Equipment 513 239,000.00 239,000.00 C-Pckrs/Anchors/Hgrs
TB-Couplings/Fittings/Valves 514 515 141,000.00 409,000.00 141,000.00 409,000.00 TB-Pumps-Surface 521 54,000.00 54,000.00 TB-Instrumentation/SCADA/POC
TB-Miscellaneous 522 523 TB-Meters/Lacts 525 54,000.00 54,000.00 526 527 66,000.00 54,000.00 mbusters/Emissic C-Gas Lift/Compression PEQ-Wellhead Equipment 531 3.096,000.00 **Total Tangible Costs** \$ 1,131,000.00 \$ 368,000.00 \$ 1,469,000.00 \$ 128.000.00 S \$ - \$ - \$ 5,162,000.00 \$ 7,591,000.00 \$ 1,989,000.00 \$ 860,000.00 \$ Total Gross Cost - \$ 15,602,000.00 Note: The above costs are estimates only. Actual costs will be billed as incurred COG Operating LLC

By:	Date Prepared:
We approve: % Working Interest	COG Operating LLC By:
Company: WPX ENERGY PERMIAN, LLC	<u>57.</u>
Зу:	
Printed Name:	
Fitle:	This AFE is only an estimate. By signing you agree to pay
Date:	your share of the actual costs incurred.

RATIFICATION OF COMMUNITIZATION AGREEMENT

ROCK JELLY E2E2 UNIT – BONE SPRING
E2E2 Sec. 3
E2E2 Sec. 10
E2E2 Sec. 15
T26S-R29E
Eddy County, New Mexico
Bone Spring Formation

STATE OF NEW MEXICO)
)
COUNTY OF EDDY)

CA"), effective as of October 1, 2023 or from the onset of production of communitized substances, whichever is earlier, designating the ROCK JELLY E2E2 UNIT (BONE SPRING), and pooling and combining the oil and gas leases set forth therein, insofar as they cover the 480.00 acre communitized area comprised of E2E2 Section 3, E2E2 Section 10, and E2E2 Section 15, T26S-R29E, Eddy County, New Mexico, as to the Bone Spring Formation.

NESTEGG ENERGY CORPORATION, whose address is 2308 Sierra Vista Rd., Artesia, NM, 88210, is an owner of an interest located in the unit referenced above.

NESTEGG ENERGY CORPORATION, desires to adopt, ratify and confirm the Federal CA insofar as it covers the right, title, and interest in and to the oil and gas leases and the lands included in the unit referenced above.

In consideration of the premises **NESTEGG ENERGY CORPORATION**, does hereby adopt, ratify and confirm the above-described Federal CA insofar as it covers its right, title and interest in the oil and gas leases and the lands included in the unit, and agrees that his/her/its interest is subject to all of the terms and provisions therein.

This Ratification is effective as of the effective date of the above-referenced Federal CA.

	NESTEGG ENERGY CORPORATION	
	Ву:	
	Name:	
	Title:	
STATE OF)	
COUNTY OF)	
This instrument was acknowled	ged before me on the day of	
by	, as	of
NESTEGG ENERGY CORPORATION	ON, on behalf of same.	
	Notary Public - State of	

COG Operating LLC Case No. 23960 Exhibit A-5

<u>Chronology Efforts – Rock Jelly Federal Com 701H (E2E2 Fed Com)</u>

08/29/2023 - Well proposal, AFE, & OA sent to WPX Energy Permian, LLC

09/21/2023 - Information letter regarding name change sent to WPX Energy Permian, LLC

09/25/2023 - Federal Communitization Agreements sent to applicable parties

09/25/2023 - Ratification of Federal Communitization Agreements sent to applicable parties

COG Operating LLC Case No. 23960 Exhibit A-6

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

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

CASE NO. 23960

SELF-AFFIRMED STATEMENT OF CHRIS WRAY

- 1. I am a geologist for COG Operating LLC ("COG"). I am over 18 years of age, have personal knowledge of the matters addressed herein, and am competent to provide this Self-Affirmed Statement. I have previously testified before the New Mexico Oil Conservation Division ("Division") and my credentials as an expert in geology were accepted and made a matter of record.
 - 2. I am familiar with the geological matters that pertain to the above-referenced case.
- 3. **Exhibit B-1** is a location map of the proposed horizontal spacing unit ("Unit"). The approximate wellbore path for the proposed **Rock Jelly Federal Com 701H** well is represented by a dashed line. Existing producing wells in the targeted interval are represented by solid lines.
- 4. **Exhibit B-2** is a subsea structure map for the Bone Spring formation that is representative of the targeted interval. The data points are indicated by crosses. The approximate wellbore path of the well are depicted by a dashed line. The map demonstrates the formation is gently dipping to the east in this area. I do not observe any faulting, pinch-outs, or geologic impediments to developing the targeted intervals with horizontal wells.
- 5. **Exhibit B-3** is a cross section map that identifies three wells penetrating the targeted intervals used to construct a structural cross-section from A to A'. I used these well logs because they penetrate the targeted intervals, are of good quality, and are representative of the geology in the area.

COG Operating LLC Case No. 23960 Exhibit B

6. Exhibit B-4 is a stratigraphic cross-section using the representative wells identified on Exhibit B-3. It contains gamma ray, resistivity and porosity logs. The proposed landing zone

for the well is labeled on the exhibit. This cross-section demonstrates the target intervals are

continuous across the Unit.

7. In my opinion, a standup orientation for the well is appropriate to properly develop

the subject acreage because of consistent rock properties throughout the Unit and the lack of

preferred fracture orientation in this portion of the trend.

8. Based on my geologic study of the area, the targeted interval underlying the Unit is

suitable for development by horizontal wells and the tracts comprising the Unit will contribute

more or less equally to the production of the well.

9. In my opinion, the granting of COG's application will serve the interests of

conservation, the protection of correlative rights, and the prevention of waste.

10. The attached exhibits were either prepared by me or under my supervision or were

compiled from company business records.

11. I understand this Self-Affirmed Statement will be used as written testimony in this

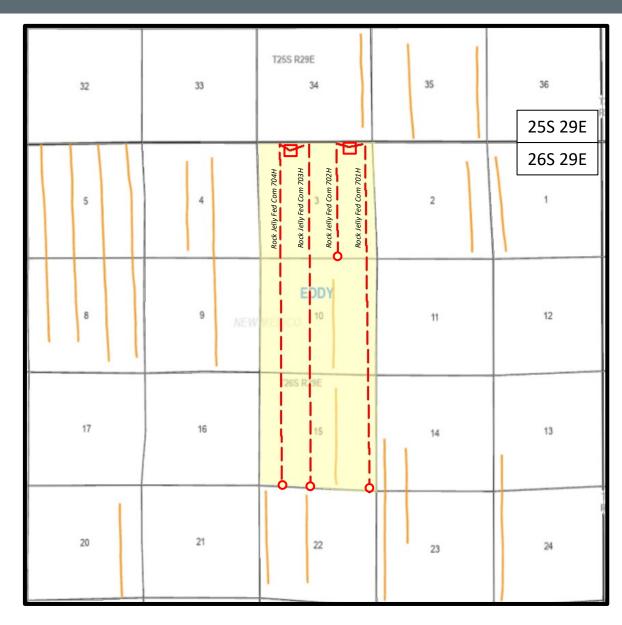
case. I affirm my testimony above is true and correct and is made under penalty of perjury under

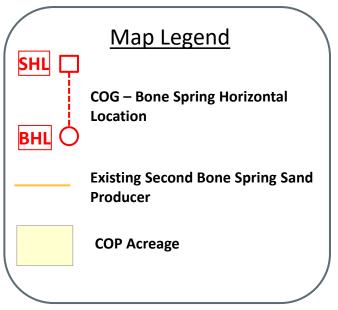
the laws of the State of New Mexico. My testimony is made as of the date identified next to my

signature below.

Chris Wray

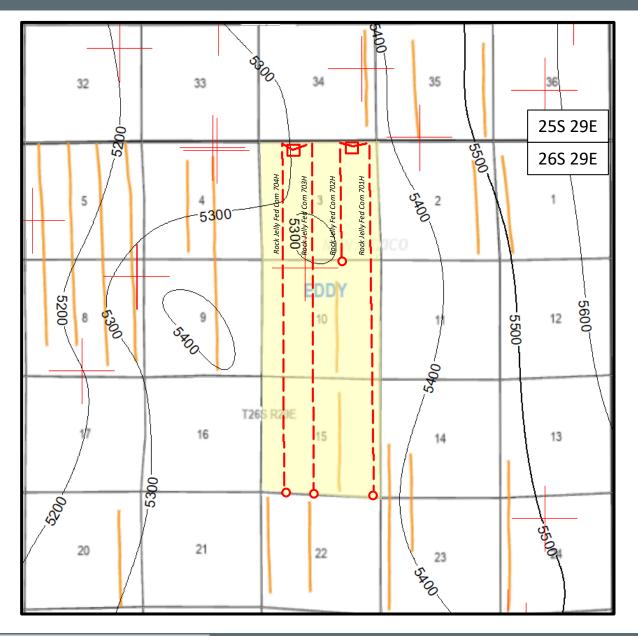
(Exhibit B-1) Rock Jelly Fed Com 701H, 702H, 703H, 704H

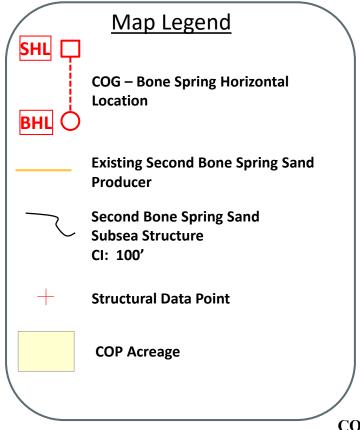




COG Operating LLC Case No. 23960 Exhibit B-1

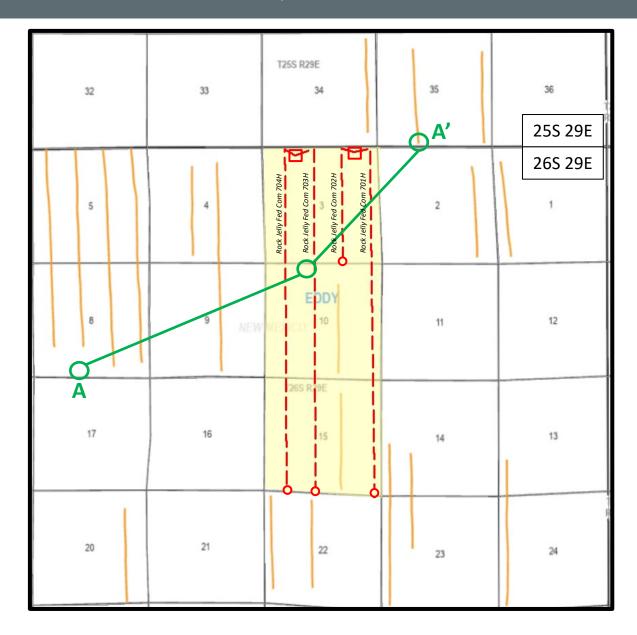
(Exhibit B-2) Rock Jelly Fed Com 701H, 702H, 703H, 704H: Second Bone Spring Sand – Structure Map

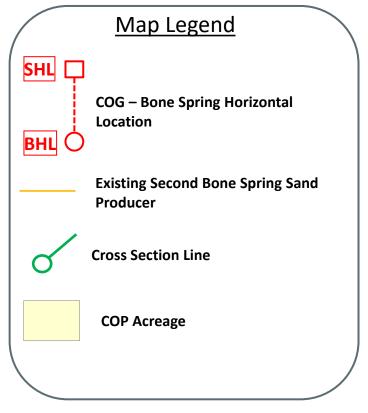




COG Operating LLC Case No. 23960 Exhibit B-2

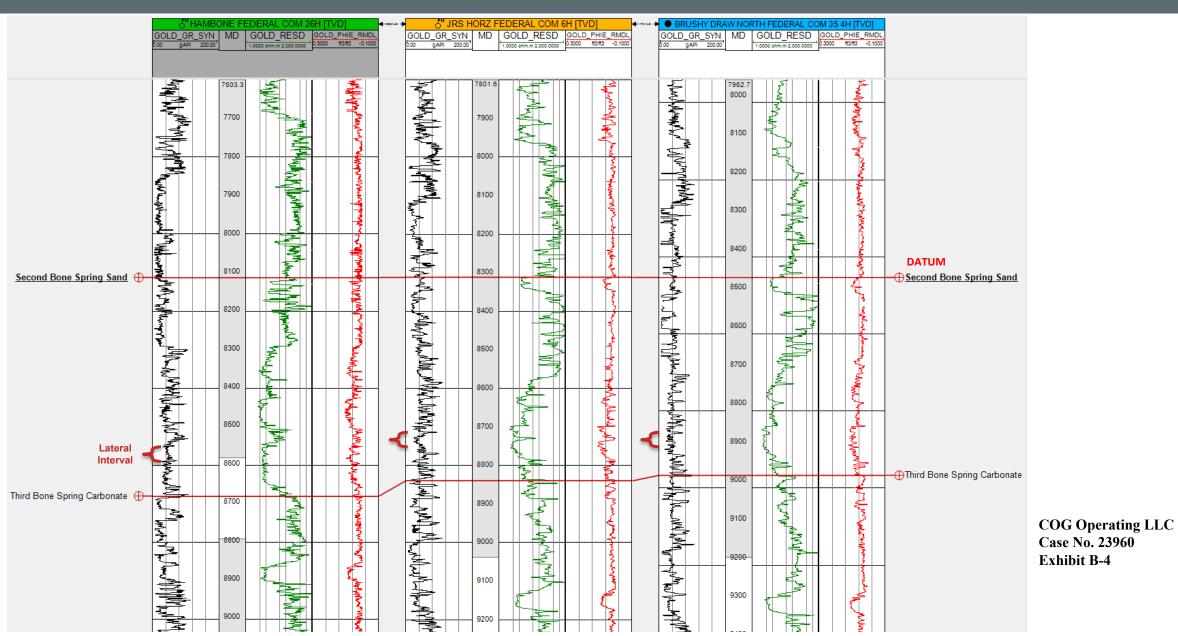
(Exhibit B-3) Rock Jelly Fed Com 701H, 702H, 703H, 704H Cross-section Map





COG Operating LLC Case No. 23960 Exhibit B-3

(Exhibit B-4) Second Bone Spring Sand – Stratigraphic Cross Section A – A'



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. 23960

SELF-AFFIRMED STATEMENT OF DANA S. HARDY

1. I am attorney in fact and authorized representative of COG Operating LLC, the

Applicant herein.

2. I am familiar with the Notice Letters attached as **Exhibit C-1** and caused the Notice

Letters, along with the Application in this case, to be sent to the parties set out in the chart attached

as Exhibit C-2.

3. Exhibit C-2 also provides the date each Notice Letter was sent and the date each

return was received.

4. Copies of the certified mail green cards and white slips are attached as **Exhibit C-**

3 as supporting documentation for proof of mailing and the information provided on Exhibit C-2.

5. On November 15, 2023, I caused a notice to be published to all interested parties in

the Carlsbad Current Argus. An Affidavit of Publication from the Legal Clerk of the Carlsbad

Current Argus, along with a copy of the notice publication, is attached as **Exhibit C-4**.

6. I understand this Self-Affirmed Statement will be used as written testimony in the

subject cases. I affirm that my testimony above is true and correct and it 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.

<u>/s/ Dana S. Hardy</u>

Dana S. Hardy

December 5, 2023

Date

COG Operating LLC Case No. 23960 Exhibit C

Released to Imaging: 12/5/2023 2:06:31 PM



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

November 15, 2023

<u>VIA CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

TO ALL PARTIES ENTITLED TO NOTICE

Re: Case No. 23960 – Application of COG Operating LLC for Compulsory Pooling, 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 **December 7**, **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://www.apps.emnrd.nm.gov/ocd/ocdpermitting/) or via e-mail to 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 Gianna Romero, CPL, Senior Land Negotiator for ConocoPhillips, by phone at (432) 221-0421 if you have any questions regarding this matter.

Sincerely, /s/ Dana S. Hardy

Dana S. Hardy

Enclosure

COG Operating LLC Case No. 23960 Exhibit C-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 OIL CONSERVATION DIVISION

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

CASE NO. 23960

NOTICE LETTER CHART

PARTY	NOTICE LETTER SENT	RETURN RECEIVED
AFC Partnership	11/15/23	Per USPS Tracking
2747 Sandalwood Ave		(Last Checked 12/04/23):
Henderson, NV 89074		
		11/18/23 – Delivered to
		individual at the address.
Barbe Development, LLC	11/15/23	11/27/23
PO Box 2107		
Roswell, NM 88202		
Chad Barbe	11/15/23	11/27/23
PO Box 2107		
Roswell, NM 88202		
EOG Resources Inc.	11/15/23	11/27/23
Attn: Land Department		
5509 Champions Drive		
Midland, TX 79706		
El Paso Natural Gas Company	11/15/23	11/20/23
8645 Railroad Dr.		
El Paso, TX 79904		
LJA Charitable Investments, LLC,	11/15/23	11/27/23
by Laura and John Arnold Foundation		
1717 West Loop South, Ste 1800		
Houston, TX 77027		
Merpel, LLC	11/15/23	Per USPS Tracking
PO Box 100367		(Last Checked 12/04/23):
Fort Worth, TX 76185		
		11/22/23 – Item in transit
	11/17/00	to next facility.
OXY USA Inc.	11/15/23	11/27/23
Attn: Land Department		
5 Greenway Plaza, Suite 110		
Houston, TX 77046	11/15/22	11/07/02
Oak Valley Mineral and Land Fund, LP	11/15/23	11/27/23
PO Box 50820		
Midland, TX 79710	11/15/02	11/07/02
Pegasus Resources, LLC	11/15/23	11/27/23
PO Box 733980		
Dallas, TX 75373		

COG Operating LLC Case No. 23960 Exhibit C-2

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. 23960

NOTICE LETTER CHART

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Roswell, NM 88202		, ,
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Pony Oil Operating, LLC	11/15/23	Per USPS Tracking
3100 Monticello Ave, Suite 500		(Last Checked 12/04/23):
Dallas, TX 75205		
		11/18/23 – No access to
		delivery location.
Post Oak Crown Minerals, LLC	11/15/23	11/27/23
34 S. Wynden Dr., Suite 210		
Houston, TX 77056		
Sitio Permian, LLC	11/15/23	11/27/23
1401 Lawrence St., Suite 1750		
Denver, CO 80202		
Sortida Resources LLC	11/15/23	11/27/23
P.O. Box 50820		
Midland, TX 79710		
TD Minerals LLC	11/15/23	11/27/23
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Dallas, TX 75225		
WPX Energy Permian, LLC	11/15/23	12/01/23
Attn: Land Department		
333 W Sheridan Ave		
Oklahoma City, OK 73102		
XTO Holdings, LLC	11/15/23	11/27/23
Attn: Land Department		
22777 Springwoods Village Pkwy		
Spring, TX 77389		

Received by OCD: 12/5/2023 1:54:20 PM

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 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X. Agent Addressee B. Regelved by (Printed Marke) C. Date/of Delivery C. Date/of Delivery	
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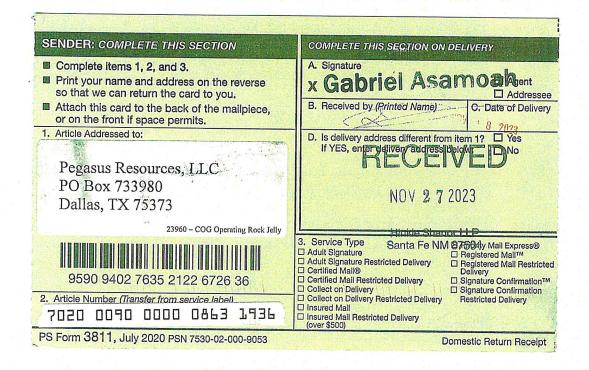
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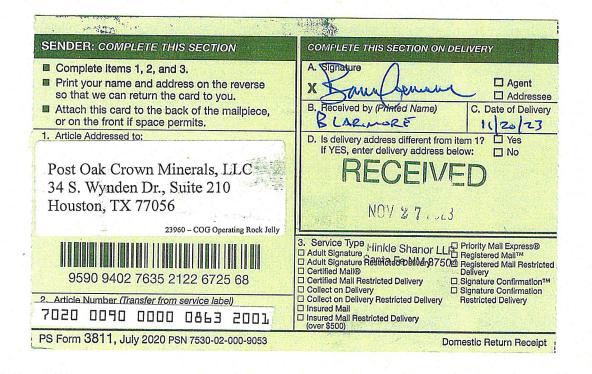
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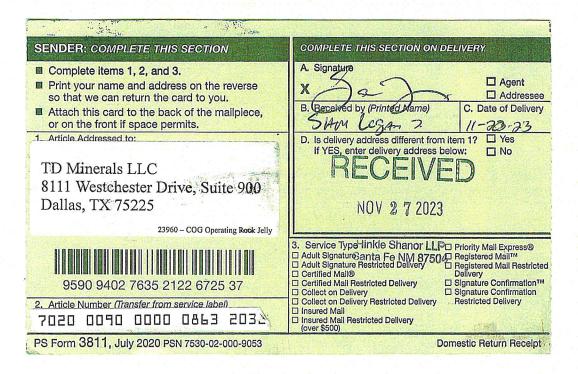
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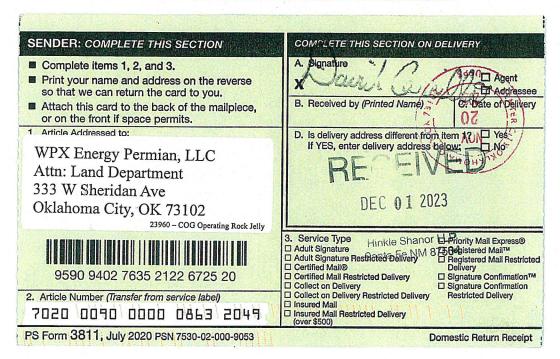
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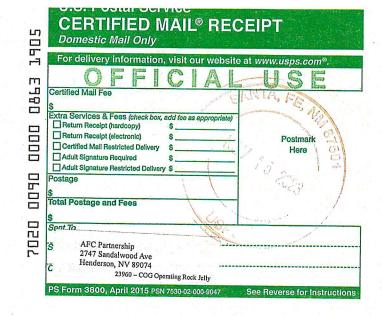


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	PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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FAQs >

Remove X

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Your item was delivered to an individual at the address at 12:51 pm on November 18, 2023 in HENDERSON, NV 89074.

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Arrived at USPS Regional Facility

LAS VEGAS NV DISTRIBUTION CENTER November 17, 2023, 8:28 am

Departed USPS Facility

ALBUQUERQUE, NM 87101 November 16, 2023, 8:05 am

Arrived at USPS Facility

ALBUQUERQUE, NM 87101 November 15, 2023, 10:35 pm Hide Tracking History

What Do USPS	Tracking	Statuses N	Mean? (h	ttps://fag.us	ps.com/s/a	rticle/Where-	is-mv-	package

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FAQs >

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70200090000008631974

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Preparing for Delivery

Moving Through Network

In Transit to Next Facility

November 22, 2023

Departed USPS Regional Facility

FORT WORTH TX DISTRIBUTION CENTER November 17, 2023, 11:22 pm

Arrived at USPS Regional Facility

FORT WORTH TX DISTRIBUTION CENTER November 17, 2023, 8:19 am

Departed USPS Facility

ALBUQUERQUE, NM 87101 November 16, 2023, 8:05 am Arrived at USPS Facility
ALBUQUERQUE, NM 87101
November 15, 2023, 10:35 pm

Hide Tracking History

What Do USPS Tracking Statuse	Mean? (https://faq.usps	s.com/s/article/Where-is-m	y-package)
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FAQs >

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Preparing for Delivery

Moving Through Network

In Transit to Next Facility

November 22, 2023

Departed USPS Regional Facility

LUBBOCK TX DISTRIBUTION CENTER November 18, 2023, 5:50 am

Arrived at USPS Regional Facility

LUBBOCK TX DISTRIBUTION CENTER November 17, 2023, 7:55 am

Departed USPS Facility

ALBUQUERQUE, NM 87101 November 16, 2023, 8:05 am Feedback

Arrived at USPS Facility
ALBUQUERQUE, NM 87101
November 15, 2023, 10:35 pm

Hide Tracking History

What Do USPS Tracking Statuses	s Mean? (https://faq.usp	ps.com/s/article/Where-is-my	-package)
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Frack Another Package	
Enter tracking or barcode numbers	

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7020	Sor Pony Oil Operating, LLC Sire 3100 Monticello Ave, Suite 500 Dallas, TX 75205 Öili 23960 – COG Operating Rock Jelly
	PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

FAQs >

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Tracking Number:

70200090000008631998

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Latest Update

We could not access the delivery location to deliver your package at 7:22 pm on November 18, 2023 in DALLAS, TX 75205. We will redeliver on the next delivery day. No action needed.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Alert

No Access to Delivery Location

DALLAS, TX 75205 November 18, 2023, 7:22 pm

Departed USPS Regional Facility

DALLAS TX DISTRIBUTION CENTER November 18, 2023, 5:06 am

Arrived at USPS Regional Facility

DALLAS TX DISTRIBUTION CENTER November 17, 2023, 9:27 am

Departed USPS Facility

ALBUQUERQUE, NM 87101 November 16, 2023, 8:05 am

Arrived at USPS Facility

ALBUQUERQUE, NM 87101 November 15, 2023, 10:35 pm Hide Tracking History

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Contact USPS Tracking support for further assistance.

Carlsbad Current Argus.

This is to notify all interested parties, including AFC Partnership; Barbe Development, LLC; Chad Barbe; EOG Resources Inc., ATTN: Land Department; El Paso Natural Gas Company; LJA Charitable Investments, LLC, by Laura and John Arnold Foundation; Merpel, LLC; OXY USA Inc., ATTN: Land Department; Oak Valley Mineral and Land Fund, LP; Pegasus Resources, LLC; Penasco Petroleum LLC; Pony Oil Operating, LLC; Post Oak Crown Minerals, LLC; Sitio Permian, LLC; Sortida Resources LLC; TD Minerals LLC; WPX Energy Permian, LLC, ATTN: Land Department; XTO Holdings, LLC, ATTN: Land Department; and their successors and assigns, that the New Mexico Oil Conservation Division will conduct a hearing on an application submitted by COG Operating

a hearing on an application submitted by COG Operating LLC (Case No. 23960). The hearing will be conducted remotely on December 7, 2023, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted

on the OCD Hearings website for that date: https://www.em

on the OCD Hearings website for that date: https://www.em.nrd.nm.gov/ocd/hearing-info/. COG Operating LLC ("Applicant") seeks an order pooling all uncommitted interests in the Bone Spring formation underlying a 480-acre, more or less, standard horizontal spacing unit comprised of the E/2 E/2 of Sections 3, 10, and 15, Township 26 South, Range 29 East, Eddy County, New Mexico ("Unit"). Applicant seeks to dedicate the Unit to the Rock Jelly Federal Com 701H well ("Well"), which will be drilled from a surface hole location in Lot 1 (NE/4 NE/4 equivalent) of Section 3 to a bottom hole location in the SE/4 SE/4 (Unit P) of Section 15. The completed interval of the Well will be orthodox. Also to be considered will be the cost of drilling and completing the Well and the allocation of the costs, the designation of Applicant as the operator of the Well, and a 200% charge for the risk involved in drilling and completing the Well. The Well is located approximately 12 miles southeast of Malaga, New Mexico.

of Malaga, New Mexico.

#5857437, Current Argus, November 15, 2023

Affidavit of Publication Ad # 0005857437 This is not an invoice

HINKLE SHANOR, LLP **POBOX 2068**

SANTA FE, NM 87504

I, a legal clerk of the Carlsbad Current Argus, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof in editions dated as follows:

11/15/2023

Subscribed and sworn before me this November 15,

2023:

State of WI, County of Brown

NOTARY PUBLIC

My commission expires

KATHLEEN ALLEN Notary Public State of Wisconsin

Ad # 0005857437 PO#: 23960 # of Affidavits 1

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COG Operating LLC Case No. 23960 **Exhibit C-4**