



COG OPERATING LLC
Bigfoot State Com 501H-502H, 601H-602H
Eddy County, New Mexico

Case Nos. 21922-21923
BEFORE THE OIL CONSERVATION DIVISION
EXAMINER HEARING June 03, 2021



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

**APPLICATION OF COG OPERATING LLC
TO AMEND ORDER NO. R-21414,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 21922

**APPLICATION OF COG OPERATING LLC
TO AMEND ORDER NO. R-21415,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 21923

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

**APPLICATION OF COG OPERATING LLC
TO AMEND ORDER NO. R-21414,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 21922

APPLICATION

COG Operating LLC (“COG”), through its undersigned attorneys, hereby files this application with the Oil Conservation Division to amend Order No. R-21414 (“Order”) to allow for an extension of time for drilling the proposed initial well under the Order. In support of its application, COG states:

1. Division Order No. R-21414, entered on July 29, 2020, in Case No. 21322, created a standard 320-acre standard horizontal spacing unit comprised of the S/2 S/2 of Sections 20 and 21, Township 19 South, Range 28 East, NMPM, Eddy County, New Mexico (“Unit”), and designated COG as operator of the Unit.

2. The Order further pooled the uncommitted interests in the Bone Spring formation [Winchester; Bone Spring West Pool (97569)] in the Unit, and dedicated the Unit to the proposed initial **Bigfoot State Com #501H well** (API No. 30-015-48101), and the **Bigfoot State Com #601H well** (API No. 30-015-47132).

3. COG requests that Order No. R-21414 be re-opened and amended to allow COG additional time to commence drilling the well under the Order.

4. There is good cause for COG’s request for an extension of time to drill. Specifically, the decline in commodity prices in 2020 caused by the global COVID pandemic and other economic factors led to COG reducing its rig count, thereby causing COG to delay its intended plans to develop the acreage subject to the Order.

**BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Exhibit No. A
Submitted by: COG OPERATING LLC
Hearing Date: June 03, 2021
Case Nos. 21922-21923**

5. Under the Order, COG would be required to commence drilling the well by July 29, 2021, and therefore, asks for the deadline to commence drilling the well be extended for a year, to July 29, 2022.

WHEREFORE, COG requests that this application be set for hearing before an Examiner of the Oil Conservation Division on June 3, 2021, and, after notice and hearing as required by law, the Division enter an order extending the time for COG to commence drilling the proposed initial well under the Order.

Respectfully submitted,

HOLLAND & HART LLP

By:  _____

Michael H. Feldewert
Adam G. Rankin
Julia Broggi
Kaitlyn A. Luck
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ATTORNEYS FOR COG OPERATING LLC

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

**APPLICATION OF COG OPERATING LLC
TO AMEND ORDER NO. R-21415,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 21923

APPLICATION

COG Operating LLC (“COG”), through its undersigned attorneys, hereby files this application with the Oil Conservation Division to amend Order No. R-21415 (“Order”) to allow for an extension of time for drilling the proposed initial well under the Order. In support of its application, COG states:

1. Division Order No. R-21415, entered on July 29, 2020, in Case No. 21323, created a standard 320-acre standard horizontal spacing unit comprised of the N/2 S/2 of Sections 20 and 21, Township 19 South, Range 28 East, NMPM, Eddy County, New Mexico (“Unit”), and designated COG as operator of the Unit.

2. The Order further pooled the uncommitted interests in the Bone Spring formation [Winchester; Bone Spring West Pool (97569)] in the Unit, and dedicated the Unit to the proposed initial **Bigfoot State Com #502H well** (API No. 30-015-48100), and the **Bigfoot State Com #602H well** (API No. 30-015-47131).

3. COG requests that Order No. R-21415 be re-opened and amended to allow COG additional time to commence drilling the well under the Order.

4. There is good cause for COG’s request for an extension of time to drill. Specifically, the decline in commodity prices in 2020 caused by the global COVID pandemic and other economic factors led to COG reducing its rig count, thereby causing COG to delay its intended plans to develop the acreage subject to the Order.

5. Under the Order, COG would be required to commence drilling the well by July 29, 2021, and therefore, asks for the deadline to commence drilling the well be extended for a year, to July 29, 2022.

WHEREFORE, COG requests that this application be set for hearing before an Examiner of the Oil Conservation Division on June 3, 2021, and, after notice and hearing as required by law, the Division enter an order extending the time for COG to commence drilling the proposed initial well under the Order.

Respectfully submitted,

HOLLAND & HART LLP

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Michael H. Feldewert

Adam G. Rankin

Julia Broggi

Kaitlyn A. Luck

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ATTORNEYS FOR COG OPERATING LLC

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

**APPLICATION OF COG OPERATING LLC
TO AMEND ORDER NO. R-21414,
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CASE NO. 21922

**APPLICATION OF COG OPERATING LLC
TO AMEND ORDER NO. R-21415,
EDDY COUNTY, NEW MEXICO.**

CASE NO. 21923

AFFIDAVIT OF JEFF STOUT, LANDMAN

Jeffrey S. Stout, being of lawful age and duly sworn, states the following:

1. My name is Jeffry S. Stout and I am employed by COG Operating LLC (“COG”) as a Landman.
2. I have previously testified before the New Mexico Oil Conservation Division as an expert witness in petroleum land matters. My credentials as a petroleum land manager have been accepted by the Division and made a matter of record.
3. I am familiar with the applications filed by COG these consolidated matters and the status of the lands in the subject area.
4. None of the pooled parties has indicated opposition to this extension application, and therefore I do not expect any opposition at the hearing
5. In **Case No. 21922**, COG seeks to amend Order No. R-21414 to allow for an extension of time for drilling the proposed initial well under the Order. Division Order No. R-21414, entered on July 29, 2020, in Case No. 21322, created a standard 320-acre standard horizontal spacing unit comprised of the S/2 S/2 of Sections 20 and 21,

**BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, NewMexico
Exhibit No. B
Submitted by: COG OPERATING LLC
Hearing Date: June 03, 2021
Case Nos. 21922-21923**

Township 19 South, Range 28 East, NMPM, Eddy County, New Mexico (“Unit”), and designated COG as operator of the Unit.

6. Order No. R-21414 further pooled the uncommitted interests in the Bone Spring formation [Winchester; Bone Spring West Pool (97569)] in the Unit, and dedicated the Unit to the proposed initial **Bigfoot State Com #501H well** (API No. 30-015-48101), and the **Bigfoot State Com #601H well** (API No. 30-015-47132).

7. In **Case No. 21923**, COG seeks to amend Order No. R-21415 to allow for an extension of time for drilling the proposed initial well under the Order. Division Order No. R-21415, entered on July 29, 2020, in Case No. 21323, created a standard 320-acre standard horizontal spacing unit comprised of the N/2 S/2 of Sections 20 and 21, Township 19 South, Range 28 East, NMPM, Eddy County, New Mexico (“Unit”), and designated COG as operator of the Unit.

8. Order No. R-21415 further pooled the uncommitted interests in the Bone Spring formation [Winchester; Bone Spring West Pool (97569)] in the Unit, and dedicated the Unit to the proposed initial **Bigfoot State Com #502H well** (API No. 30-015-48100), and the **Bigfoot State Com #602H well** (API No. 30-015-47131).

9. COG’s change in management, as well as the decline in commodity prices in 2020 caused by the global COVID pandemic and other economic factors, led COG to delay its intended plans to develop the acreage subject to the Orders.

10. The Orders required drilling to commence within a year, by July 29, 2021.

11. COG has not yet commenced drilling the wells as required by Order Nos. R-21414 and 21415 but anticipates drilling within the next year.

12. COG therefore requests that the deadline to commence drilling under the pooling orders be extended for a year until July 29, 2022.

13. COG provided our outside counsel, Holland and Hart, with a list of the working interest owners that remain subject to each pooling order and instructed them to provide notice of this hearing to these pooled working interest owners.

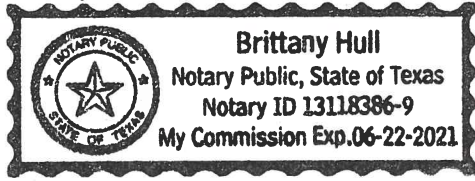
14. None of the working interest owners that remain subject to these pooling orders have been asked at this time to make an election on the wells, or to pay their estimated share of the costs to drill, complete and equip the wells.

FURTHER AFFIANT SAYETH NOT.

Jeffrey S. Stout
JEFFREY S. STOUT

STATE OF TEXAS)
)
COUNTY OF MIDLAND)

SUBSCRIBED and SWORN to before me this 28th day of May 2021 by
Jeffrey S. Stout.



Brittany Hull
NOTARY PUBLIC

My Commission Expires:
6.22.21

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

**APPLICATION OF COG OPERATING LLC
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EDDY COUNTY, NEW MEXICO.**

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**APPLICATION OF COG OPERATING LLC
TO AMEND ORDER NO. R-21415,
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CASE NO. 21923

AFFIDAVIT

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

Kaitlyn A. Luck, attorney in fact and authorized representative of COG Operating LLC, the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Applications have been provided under the notice letters and proof of receipts attached hereto.



Kaitlyn A. Luck

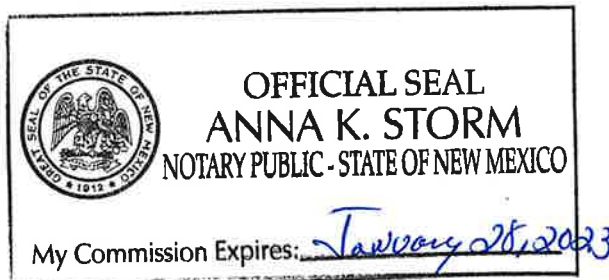
SUBSCRIBED AND SWORN to before me this 24th day of May, 2021 by Kaitlyn A. Luck.



Notary Public

My Commission Expires:

January 28, 2023



BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Exhibit No. C
Submitted by: COG OPERATING LLC
Hearing Date: June 03, 2021
Case Nos. 21922-21923



Michael H. Feldewert
Phone: (505) 988-4421
Fax: (505) 983-6043
Email: mfeldewert@hollanhart.com

May 14, 2021

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

Re: Application of COG Operating LLC to Amend Order No. R-21414, Eddy County, New Mexico.
Big Foot #501H and #601H wells

Greetings:

This letter is to advise you that COG Operating Inc. has filed the enclosed application with the New Mexico Oil Conservation Division.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on June 3, 2021, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <http://www.emnrd.state.nm.us/OCD/announcements.html>.

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. Parties appearing in cases are required by Division Rule 19.15.4.13.B to file a Pre-hearing Statement four business days in advance of a scheduled hearing. This statement must be filed online or in person at the Division's Santa Fe office 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.

If you have any questions about this matter, please contact Jeffrey Stout at (432) 818-1372 or at Jeff.S.Stout@conocophillips.com.

Sincerely,

Michael H. Feldewert
ATTORNEY FOR COG OPERATING LLC



Michael H. Feldewert
Phone: (505) 988-4421
Fax: (505) 983-6043
Email: mfeldewert@hollanhart.com

May 14, 2021

VIA CERTIFIED MAIL
CERTIFIED RECEIPT REQUESTED

TO: ALL INTEREST OWNERS SUBJECT TO POOLING PROCEEDINGS

Re: Application of COG Operating LLC to Amend Order No. R-21415, Eddy County, New Mexico.
Big Foot #502H and #602H wells

Greetings:

This letter is to advise you that COG Operating Inc. has filed the enclosed application with the New Mexico Oil Conservation Division.

During the COVID-19 Public Health Emergency, state buildings are closed to the public and hearings will be conducted remotely. The hearing will be conducted on June 3, 2021, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted on the OCD Hearings website: <http://www.emnrd.state.nm.us/OCD/announcements.html>.

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If you have any questions about this matter, please contact Jeffrey Stout at (432) 818-1372 or at Jeff.S.Stout@conocophillips.com.

Sincerely,

Michael H. Feldewert
ATTORNEY FOR COG OPERATING LLC

COG - Bigfoot 501H, 601H, 502H, 602H
Case Nos. 21922-21923 Postal Delivery Report

TrackingNo	ToName	DeliveryAddress	City	State	Zip	USPS_Status
9414811898765893378544	EOG Resources, Inc.	5509 Champions Dr	Midland	TX	79706-2843	Your package will arrive later than expected, but is still on its way. It is currently in transit to the next facility.
9414811898765893378582	Marathon Oil Company	5555 San Felipe St	Houston	TX	77056-2701	Your item was delivered to the front desk, reception area, or mail room at 1:46 pm on May 17, 2021 in HOUSTON, TX 77056.
9414811898765893378537	WPX Energy Permian, LLC	3500 One Williams Ctr	Tulsa	OK	74172-0135	Your item was delivered to an individual at the address at 7:33 am on May 17, 2021 in TULSA, OK 74172.
9414811898765893378575	Devon Energy Production Company, LP	333 W Sheridan Ave	Oklahoma City	OK	73102-5010	Your item was delivered at 9:09 am on May 17, 2021 in OKLAHOMA CITY, OK 73102.
9414811898765893377219	Yates Brothers	105 S 4th St	Artesia	NM	88210-2177	Your item was delivered to the front desk, reception area, or mail room at 8:02 am on May 17, 2021 in ARTESIA, NM 88210.

Affidavit of Publication

Ad # 0004738199

This is not an invoice

HOLLAND AND HART
POBOX 2208


SANTA FE, NM 87504

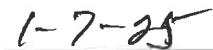
I, a legal clerk of the **Carlsbad Current Argus**, a newspaper published daily at the City of Carlsbad, in said county of Eddy, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements 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 on the date as follows, to wit:

05/19/2021


Legal Clerk

Subscribed and sworn before me this May 19, 2021:


State of WI, County of Brown
NOTARY PUBLIC


My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

Ad # 0004738199
PO #: NOP COG Bigfoot 501H
of Affidavits 1

This is not an invoice

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Exhibit No. D
Submitted by: COG OPERATING LLC
Hearing Date: June 03, 2021
Case Nos. 21922-21923

STATE OF NEW MEXICO
ENERGY, MINERALS AND
NATURAL RESOURCES DEPART-
MENT
OIL CONSERVATION DIVISION
SANTA FE, NEW MEXICO

The State of New Mexico, Energy Minerals and Natural Resources Department, Oil Conservation Division ("Division") hereby gives notice that the Division will hold public hearings before a hearing examiner on the following case. During the COVID-19 Public Health Emergency, state buildings are closed to the public and Division hearings will be conducted remotely. The public hearing for the following case will be electronic and conducted remotely. The hearing will be conducted on Thursday, June 3, 2021, beginning at 8:15 a.m. To participate in the electronic hearing, see the instructions posted below. The docket may be viewed at <http://www.emnrd.state.nm.us/OCD/hearings.html> or obtained from Marlene Salvidrez, at Marlene.Salvidrez@state.nm.us. Documents filed in the case may be viewed at <http://ocdimage.emnrd.state.nm.us/imagaging/CaseFileCriteria.aspx>. If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in a hearing, contact Marlene Salvidrez at Marlene.Salvidrez@state.nm.us, or the New Mexico Relay Network at 1-800-659-1779, no later than May 23, 2021.

Persons may view and participate in the hearings through the following link:

<https://nmemnrd.webex.com/nmemnrd/onstage/g.php?MTID=ec1d641c6ace40cc7558b1e0da816030e>
Event number: 187 817 6036
Event password: 9i7hAhEhql5

Join by video: 1878176036@nmemnrd.webex.com
Numeric Password: 235514
You can also dial 173.243.268 and enter your meeting number

Join by audio: 1-844-992-4726
United States Toll Free
Access code: 187 817 6036

**STATE OF NEW MEXICO TO:
All named parties and persons
having any right, title, interest
or claim in the following case
and notice to the public.**

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

To: All pooled working interest owners, including: EOG Resources, Inc.; Marathon Oil Company; WPX Energy Permian, LLC; Devon Energy Production Company, LP; and Yates Brothers.

Case No. 21922:
Application of COG Operating LLC to Amend Order No. R-21414, Eddy County, New Mexico. Applicant in the above-styled cause seeks a year extension of time to drill the well under Order No. R-21414. The Unit is comprised of the S/2 S/2 of Sections 20 and 21, Township 19 South, Range 28 East, NMPM, Eddy County, New Mexico. Order No. R-21414 pooled the uncommitted interests in the Bone Spring formation [Winchester; Bone Spring West Pool (97569)] and dedicated the above-referenced horizontal spacing unit to the proposed Bigfoot State Com #501H well and the Bigfoot State Com #601H well. Said area is located approximately 15 miles Northeast of

Carlsbad, New Mexico,
#4738199, Current Argus, May
19, 2021

Affidavit of Publication

Ad # 0004738209

This is not an invoice

HOLLAND AND HART
POBOX 2208

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 on the date as follows, to wit:

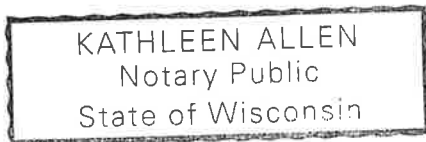
05/19/2021


Legal Clerk

Subscribed and sworn before me this May 19, 2021:


State of WI, County of Brown
NOTARY PUBLIC

1-7-25
My commission expires



Ad # 0004738209
PO #: NOP COG Bigfoot 502H
of Affidavits 1

This is not an invoice

STATE OF NEW MEXICO
ENERGY, MINERALS AND
NATURAL RESOURCES DEPART-
MENT
OIL CONSERVATION DIVISION
SANTA FE, NEW MEXICO

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Event number: 187 817 6036

Event password: 9i7hAhEhqh5

Join by video: 1878176036@nmemnrd.webex.com

Numeric Password: 235514

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Join by audio: 1-844-992-4726

United States Toll Free

Access code: 187 817 6036

STATE OF NEW MEXICO TO:

All named parties and persons having any right, title, interest or claim in the following case and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

To: All pooled working interest owners, including: EOG Resources, Inc.; Marathon Oil Company; WPX Energy Permian, LLC; Devon Energy Production Company, LP; and Yates Brothers.

Case No. 21923:

Application of COG Operating LLC to Amend Order No. R-21415, Eddy County, New Mexico. Applicant in the above-styled cause seeks a year extension of time to drill the well under Order No. R-21415. The Unit is comprised of the N/2 S/2 of Sections 20 and 21, Township 19 South, Range 28 East, NMPM, Eddy County, New Mexico. Order No. R-21415 pooled the uncommitted interests in the Bone Spring formation [Winchester; Bone Spring West Pool (97569)] and dedicated the above-referenced horizontal spacing unit to the proposed Bigfoot State Com #502H well and the Bigfoot State Com #602H well. Said area is located approximately 15 miles Northeast of

Carlsbad, New Mexico,
#4738209, current Argus, May
19, 2021