

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

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

CASE NO. _____

APPLICATION

In accordance with NMSA 1978, § 70-2-17 and NMAC 19.15.16.15(B)(5), COG Operating LLC (“COG” or “Applicant”), through its undersigned attorneys, files this application with the Oil Conservation Division (“Division”) seeking an order: (1) establishing a 1,920-acre, more or less, non-standard horizontal spacing unit comprised of Sections 28 and 33 of Township 25 South, Range 27 East, and Section 4 of Township 26 South, Range 27 East, Eddy County, New Mexico (“Unit”); and (2) pooling all uncommitted interests in the Bone Spring formation underlying the 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 thereon.
2. Applicant seeks to dedicate the Unit to the following proposed wells (“Wells”):
 - a. **Flaming Snail Fed Com 501H** and **Flaming Snail Fed Com 520H**, to be drilled from a surface hole location in the NE/4 NE/4 (Unit A) of Section 28, Township 25 South, Range 27 East, to bottom hole locations in the SE/4 SE/4 (Unit P) of Section 4, Township 26 South, Range 27 East;
 - b. **Flaming Snail Fed Com 502H**, to be drilled from a surface hole location in the NE/4 NE/4 (Unit A) of Section 28, Township 25 South, Range 27 East, to a bottom hole location in the SW/4 SE/4 (Unit O) of Section 4, Township 26 South, Range 27 East;

- c. **Flaming Snail Fed Com 503H** and **Flaming Snail Fed Com 521H**, to be drilled from a surface hole location in the NE/4 NW/4 (Unit C) of Section 28, Township 25 South, Range 27 East, to bottom hole locations in the SE/4 SW/4 (Unit N) of Section 4, Township 26 South, Range 27 East; and
 - d. **Flaming Snail Fed Com 504H**, to be drilled from a surface hole location in the NE/4 NW/4 (Unit C) of Section 28, Township 25 South, Range 27 East, to a bottom hole location in the SW/4 SW/4 (Unit M) of Section 4, Township 26 South, Range 27 East.
3. The completed intervals of the Wells 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.
 6. Approval of a non-standard horizontal spacing unit is necessary to prevent waste and protect correlative rights.
 7. 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 wells and the Unit.

WHEREFORE, Applicant requests that this application be set for hearing before an Examiner of the Oil Conservation Division on February 2, 2023, and, after notice and hearing as required by law, the Division enter an order:

- A. Approving a non-standard horizontal spacing unit pursuant to 19.15.16.15(B)(5) NMAC;

- B. Pooling all uncommitted interests in the Unit;
- C. Approving the initial wells in the Unit;
- D. Designating Applicant as the operator of the Unit and the horizontal wells to be drilled thereon;
- E. Authorizing Applicant to recover its costs of drilling, equipping, and completing the wells;
- F. Approving the actual operating charges and costs of supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedures; and
- G. 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,

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