



**MONTGOMERY
& ANDREWS**
LAW FIRM

J. SCOTT HALL

Cell: (505) 670-7362

Email: shall@montand.com

Reply To: Santa Fe Office

www.montand.com

RECEIVED OCD

2010 NOV -1 P 3:25

November 1, 2010

Ms. Florene Davidson
New Mexico Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

Hand Delivered

Re: NMOCC Case No. 14472 (De Novo): Application of COG Operating LLC for Cancellation of Operator's Authority and Termination of Spacing Units, Yeso Energy, Inc. Dow "B" 28 Federal Well No. 1, Eddy County, New Mexico

and

NMOCC Case No. 14547; Application of the NMOCD, through the Compliance and Enforcement Manager, for an Order Authorizing the Division to Recognize an Operator of Record for Wells Currently Operated by Yeso Energy, Inc.; Lea, Eddy and Chaves Counties, New Mexico

Dear Ms. Davidson

Enclosed for filing in the above-consolidated matters is the COG Operating's Response to Subpoena Duces Tecum Obtained by Judah Oil, LLC.

Very truly yours,

Karen Williams

Karen Williams
Assistant to J. Scott Hall

JSH:kw

Enclosure

cc: Gail MacQuesten, Esq.
Phillip T. Brewer, Esq.
Michael H. Feldewert, Esq.

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REPLY TO:

325 Paseo de Peralta
Santa Fe, New Mexico 87501
Telephone (505) 982-3873 • Fax (505) 982-4289

Post Office Box 2307
Santa Fe, New Mexico 87504-2307

6301 Indian School Road NE, Suite 400
Albuquerque, New Mexico 87110
Telephone (505) 884-4200 • Fax (505) 888-8929

Post Office Box 36210
Albuquerque, New Mexico 87176-6210

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

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2010 NOV -1 P 3: 26

APPLICATION OF COG OPERATING, LLC
FOR CANCELLATION OF OPERATOR'S
AUTHORITY AND TERMINATION OF SPACING
UNITS, YESO ENERGY, INC. DOW "B" 28
FEDERAL WELL NO. 1, EDDY COUNTY, NEW
MEXICO

CASE NO. 14472 (De Novo)

APPLICATION OF THE NMOCD, THROUGH
THE COMPLIANCE AND ENFORCEMENT
MANAGER, FOR AN ORDER AUTHORIZING
THE DIVISION TO RECOGNIZE AN OPERATOR
OF RECORD FOR WELLS CURRENTLY
OPERATED BY YESO ENERGY, INC.; LEA,
EDDY AND CHAVES COUNTIES, NEW MEXICO

CASE NO. 14547

**COG OPERATING LLC'S RESPONSE TO SUBPOENA
DUCES TECUM OBTAINED BY JUDAH OIL, LLC**

COG Operating, LLC, for its Response to the October 26, 2010 Subpoena Duces Tecum obtained by Judah Oil, LLC, states:

Objections: To all items referenced on Exhibit A to the Subpoena Duces Tecum, COG Operating LLC objects as follows: (1) Timing: Obtaining and serving the Subpoena Duces Tecum on October 26, 2010 and requiring production of documents on October 29, 2010 did not allow a reasonably sufficient period of time for COG to respond or otherwise object. (2) Burdensome: COG objects to the Subpoena Duces Tecum to the extent it seeks documents or materials that are equally available to and readily obtainable by Judah Oil, LLC from public sources. Without waiving its objections, COG states:

1. All applications to, permits, agreements, approvals or authorizations from the Bureau of Land Management regarding the Dow "B" 28 Federal Well No. 1 (API No. 30-015-28676).

The materials sought have been produced.

2. All applications to, permits, agreements, approvals or authorizations from the New Mexico Oil Conservation Division regarding the Dow "B" 28 Federal Well No. 1.

The materials sought have been produced.

3. All correspondence between COG and the Bureau of Land Management regarding the Dow "B" 28 Federal Well No. 1.

COG is diligently searching for materials responsive to this item. COG will supplement its response accordingly.

4. All correspondence between COG and the New Mexico Oil Conservation Division regarding the Dow "B" 28 Federal Well No. 1.

The materials sought have been produced.

Montgomery and Andrews, P.A.

By: J. Scott Hall

J. Scott Hall, Esq.

Post Office Box 2307

Santa Fe, New Mexico 87504

(505) 982-3873

(505) 982-4289

Attorneys for COG Operating, LLC

Certificate of Service

I hereby certify that on November 1, 2010, a true and correct copy of the foregoing was sent by electronic mail to the following parties:

Gail MacQuesten, Esq.
Assistant General Counsel
New Mexico Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505
Gail.macquesten@state.nm.us

Phil Brewer, Esq.
P.O. Box 298
Roswell, NM 88202-0298
pbrewer@pegasusplace.com

Michael Feldewert, Esq.
Ocean Munds-Dry, Esq.
Holland & Hart
P.O. Box 2208
Santa Fe, NM 87504-2208
mfeldewert@hollandhart.com
omundsdry@hollandhart.com



J. Scott Hall

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