

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

**IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION DIVISION FOR  
THE PURPOSE OF CONSIDERING:**

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

**Case No. 14,882**

**PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by Apache Corporation as required by the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

COG Operating LLC

**APPLICANT'S ATTORNEY**

Adam G. Rankin

**OPPONENT**

Apache Corporation  
Suite 3000  
300 Veterans Airpark Lane  
Midland, Texas 79705

**OPPONENT'S ATTORNEY**

James Bruce  
P.O. Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

Attention: Lee Scarborough

**STATEMENT OF THE CASE**

**APPLICANT**

**OPPONENT**

COG Operating LLC ("COG") seeks an order pooling all mineral interests in the Yeso formation underlying the S/2S/2 of Section 31, Township 17 South, Range 28 East, NMPM.

Apache Corporation ("Apache") owns a working interest in the well unit, which is subject to an existing operating agreement. Pursuant to the operating agreement Apache has elected to join in

the well. Because Apache and COG are subject to the operating agreement, Apache cannot be force pooled, and asks that it be dismissed from the case.

**PROPOSED EVIDENCE**

APPLICANT

<u>WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
------------------	------------------	-----------------

OPPONENT

<u>WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
------------------	------------------	-----------------

Lee Scarborough	20 min.	Approx. 4
-----------------	---------	-----------

**PROCEDURAL MATTERS**

Respectfully submitted,




---

James Bruce  
 Post Office Box 1056  
 Santa Fe, New Mexico 87504  
 (505) 982-2043

Attorney for Apache Corporation

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 30th day of July, 2012 by facsimile transmission:

Adam G. Rankin  
 Holland & Hart LLP  
 P.O. Box 2208  
 Santa Fe, New Mexico 87504  
 (505) 983-6043



James Bruce