



**MONTGOMERY  
& ANDREWS**  
LAW FIRM

**J. SCOTT HALL**

Office: (505) 986-2646  
Email: shall@montand.com  
Reply To: Santa Fe Office  
www.montand.com

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2013 FEB 19 P 2:48

February 19, 2013

Ms. Jami Bailey, Director  
New Mexico Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, NM 87505

Re: NMOCD Case No. 14965: Application of COG Operating LLC for Designation of a Non-Standard Oil Spacing and Proration Unit and for Compulsory Pooling, Eddy County, New Mexico

Dear Ms. Bailey:

On behalf of COG Operating, LLC, enclosed is an original and one copy of an Application in the above-referenced case. Please set this matter for hearing on the March 21, 2013 examiner docket. Also enclosed is a proposed advertisement for the case.

Very truly yours,

J. Scott Hall

JSH:dh  
Enclosures

445252

**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, MINERAL AND NATURAL RESOURCES  
OIL CONSERVATION DIVISION

2013 FEB 19 P 2:49

**IN THE MATTER OF THE APPLICATION  
OF COG OPERATING LLC FOR  
DESIGNATION OF A NON-STANDARD OIL  
SPACING AND PRORATION UNIT AND  
FOR COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO**

CASE NO. 14965

APPLICATION

COG OPERATING LLC, by its undersigned attorneys, Montgomery and Andrews, P.A. (J. Scott Hall), hereby makes application pursuant to *inter alia* Rules 19.15.16.14 and 19.15.16.15 NMAC of the Division's Rules and regulations and NMSA 1978 Section 70-2-17 (1995) for an order providing as follows:

- A. Consolidating each of the 40-acre spacing units within the W/2 W/2 of Section 9 Township 19 South, Range 26 East, NMPM, Eddy County, New Mexico and designating the consolidated units as a 160-acre  $\pm$  non-standard oil spacing and proration unit in the Yeso formation, Atoka Glorieta-Yeso Pool (3250) for Applicant's horizontal drilling project area; and
- B. Pooling all interests in the Yeso formation underlying the W/2 W/2 of Section 9.

In support, Applicant states:

1. Applicant owns certain working interests in and under the proposed project area in Section 9, and has the right to drill thereon.
2. Applicant proposes to dedicate the above-referenced pooled unit to its Stonewall 9 Fee No. 1H Well to be drilled horizontally from a surface location in the SW/4 SW/4 of Section 9 (Unit M) to a standard bottom hole location in the NW/4 NW/4 of Section 9 (Unit D), to a depth sufficient to test the Yeso formation underlying the proposed project area in Section 9.

The Completed Interval of the well will be located within the Producing Area of the proposed Project Area.

3. Applicant does not have leases or a voluntary agreement for pooling or farmout from certain other interest owners in the above-referenced formation underlying the proposed non-standard unit.

4. In order to permit the Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, the mineral interests should be pooled and the Applicant should be designated operator of the well.

5. The pooling of interests and approval of the non-standard spacing and proration unit and non-standard project area will afford the Applicant the opportunity to produce its just and equitable share of hydrocarbons underlying the spacing unit, will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights.

WHEREFORE Applicant requests that this Application be set for hearing before a duly appointed hearing examiner of the Oil Conservation Division on March 21, 2013 and that after notice and hearing as required by law, the Division enter its Order approving the non-standard spacing unit and pooling the lands, including provisions for Applicant to recover its costs of drilling, equipping and completing the wells, its costs of supervision while drilling and after completion, including overhead charges and providing for adjustments to such rates in accordance with accepted COPAS accounting procedures, and imposing a 200% risk factor for the risk assumed by the Applicant in drilling, completing and equipping the wells, and making such other and further provisions as may be proper in the premises.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: 

J. Scott Hall  
Seth C. McMillan

P.O. Box 2307

Santa Fe, NM 87504-2307

(505) 982-3873 – Telephone

(505) 982-4289 – Fax

[shall@montand.com](mailto:shall@montand.com)

[smcmillan@montand.com](mailto:smcmillan@montand.com)

Attorneys for COG Operating LLC

**Case No. 1496 Application of COG Operating LLC for Designation of a Non-standard Spacing Unit and for Compulsory Pooling, Eddy County, New Mexico.** Applicant seeks an order consolidating the 40-acre spacing units within the W/2 W/2 of Section 9, Township 19 South Range 26 East, NMPM and designating the consolidated units as a 160-acre± non-standard oil spacing and proration unit for a well location in the Yeso formation for Applicant's horizontal drilling project area. Applicant further seeks the compulsory pooling of all interests in the Yeso formation underlying the W/2 W/2 of Section 9 to be dedicated to its Stonewall 9 Fee No. 1-H Well to be drilled horizontally from a surface location in the SW/4 SW/4 of Section 9 to a standard bottom hole location in the NW/4 NW/4 of Section 9 to a depth sufficient to test the Yeso formation, Atoka Glorieta-Yeso Pool (3250). Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of COG Operating LLC as operator and a charge for risk involved in drilling the well. The proposed well and lands are located approximately 2 and ½ miles north of Lakewood, New Mexico.