STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES 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, LEA COUNTY, NEW MEXICO.

CASE NO. 15163 CASE NO. 15164 CASE NO. 15165

AFFIDAVIT

) ss.

STATE OF NEW MEXICO COUNTY OF BERNALILLO

Jordan L. Kessler, attorney in fact and authorized representative of COG Operating LLC,

the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application was provided under the notice letter and proof of receipt attached hereto.

lordan L. Kessler

SUBSCRIBED AND SWORN to before me this 22 day of July 2014 by Jordan L.

Kessler.

My commission expires: 7-17-17

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Exhibit No. 17 Submitted by: <u>COG OPERATING LLC</u> Hearing Date: July 24, 2014



May 28, 2014

<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

TO: POOLED PARTIES LISTED ON EXHIBIT A

Re: Application for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that COG Operating LLC has filed the enclosed application with the New Mexico Oil Conservation Division seeking a non-standard location, a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on June 26, 2014. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Office located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. 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 1208.B to file a Pre-Hearing Statement four days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above-specified address 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 hearing.

Sincerely. "Ve

Jordan L. Kessler Attorney for COG Operating LLC

Modrall Sperling Roehl Harris & Sisk P.A.

Bank of America Centre 500 Fourth Street NW Suite 1000 Albuquerque, New Mexico 87102

PO Box 2168 Albuquerque, New Mexico 87103-2168

Tel: 505.848.1800 www.modrall.com

Jordan L. Kessler 505.848.1849 Fax: 505.449.9710 jik@modrall.com

Parties to be pooled:

EOG Resources, Inc. 5509 Champions Drive Midland, Texas 79706 Attn: Mr. Matt Phillips

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LAWYERS

July 2, 2014

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<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

Jordan L. Kessler 505.848.1849 Fax: 505.449.9710 jlk@modrall.com

TO: POOLED PARTIES LISTED ON EXHIBIT A

Re: Application for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that COG Operating LLC has filed the enclosed applications with the New Mexico Oil Conservation Division seeking a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

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Jordan L. Kessler Attorney for COG Operating LLC

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PO Box 2168 Albuquerque, New Mexico 87103-2168

Tel: S05.848.1800 www.modrall.com

Parties to be pooled:

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EOG Resources, Inc. 5509 Champions Drive Midland, Texas 79706 Attn: Mr. Matt Phillips

ConocoPhillips Company (Successor-in-interest to Burlington Resources) 600 N. Dairy Ashford Houston, TX 77079 Attn: Mr. Renaldo Works

OXY USA, Inc. 5 Greenway Plaza Houston, TX 77046 Attention: Mark E. Hodge



July 2, 2014

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<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

TO: POOLED PARTIES LISTED ON EXHIBIT A

Re: Application for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

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Sincerely

Jordan L. Kessler Attorney for COG Operating LLC

Jordan L. Kessler 505.848.1849 Fax: 505.449.9710 jlk@modrall.com

Modrall Sperling Roehl Harris & Sisk P.A.

Bank of America Centre 500 Fourth Street NW Suite 1000 Albuquerque, New Mexico 87102

PO Box 2168 Albuquerque, New Mexico 87103-2168

Tel: 505.848.1800 www.modrall.com

Parties to be pooled:

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EOG Resources, Inc. 5509 Champions Drive Midland, Texas 79706 Attn: Mr. Matt Phillips

ConocoPhillips Company (Successor-in-interest to Burlington Resources) 600 N. Dairy Ashford Houston, TX 77079 Attn: Mr. Renaldo Works

OXY USA, Inc. 5 Greenway Plaza Houston, TX 77046 Attention: Mark E. Hodge Modrall Sperling

LAWYERS

July 2, 2014

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<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

Jordan L. Kessler 505.848.1849 Fax: 505.449.9710 jlk@modrall.com

TO: POOLED PARTIES LISTED ON EXHIBIT A

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~A.fr

Jordan L. Kessler Attorney for COG Operating LLC

Modrall Sperling Roehl Harris & Sisk P.A.

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PO Box 2168 Albuquerque, New Mexico 87103-2168

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EOG Resources, Inc. 5509 Champions Drive Midland, Texas 79706 Attn: Mr. Matt Phillips

ConocoPhillips Company (Successor-in-interest to Burlington Resources) 600 N. Dairy Ashford Houston, TX 77079 Attn: Mr. Renaldo Works

OXY USA, Inc. 5 Greenway Plaza Houston, TX 77046 Attention: Mark E. Hodge

CERTIFIED MAIL RECEIPT - COG OPERATING LLC NOTICE LIST (GOLDFINGER)

	nal notice mailed 5/28/14	
EOG Resources, Inc.	7013 0600 0000 9380 6005	6/4/14
5509 Champions Drive		
Midland, Texas 79706		
Attn: Mr. Matt Phillips	larties – mailed 7/2/14	
Pooled Party – 2H (Case No. 15163)	USPS Article No.	Date Returned
EOG Resources, Inc.	7013 0600 0000 9380 9563	7/10/14
5509 Champions Drive		
Midland, Texas 79706		
Attn: Mr. Matt Phillips		
ConocoPhillips Company	7013 0600 0000 9380 9594	7/10/14
(Successor-in-interest to Burlington Resources)		
600 N. Dairy Ashford		
Houston, TX 77079		
Attn: Mr. Renaldo Works		
OXY USA, Inc.	7013 0600 0000 9380 9624	7/17/14
5 Greenway Plaza		
Houston, TX 77046		
Attention: Mark E. Hodge		
Pooled Party - 3H (Case No. 15164)	USPS Article No.	Date Returned
EOG Resources, Inc.	7013 0600 0000 9380 9570	7/10/14
5509 Champions Drive		
Midland, Texas 79706		
Attn: Mr. Matt Phillips	7010 0 000 0000 0000 0 000	5 (10)(1)
ConocoPhillips Company	7013 0600 0000 9380 9600	7/10/14
(Successor-in-interest to Burlington Resources)		
600 N. Dairy Ashford Houston, TX 77079		
Attn: Mr. Renaldo Works		
OXY USA, Inc.	7013 0600 0000 9380 9631	7/17/14
5 Greenway Plaza	7013 0000 0000 9380 9031	//1//14
Houston, TX 77046		
Attention: Mark E. Hodge		
Pooled Party – 4H (Case No. 15165	USPS Article No.	Date Returned
EOG Resources, Inc.	7013 0600 0000 9380 9587	7/10/14
5509 Champions Drive		
Midland, Texas 79706		
Attn: Mr. Matt Phillips		
ConocoPhillips Company	7013 0600 0000 9380 9617	
(Successor-in-interest to Burlington Resources)		
600 N. Dairy Ashford		
Houston, TX 77079		
Attn: Mr. Renaldo Works		
OXY USA, Inc.	7013 0600 0000 9380 9648	7/17/14
5 Greenway Plaza		
Houston, TX 77046		
Attention: Mark E. Hodge	ſ	

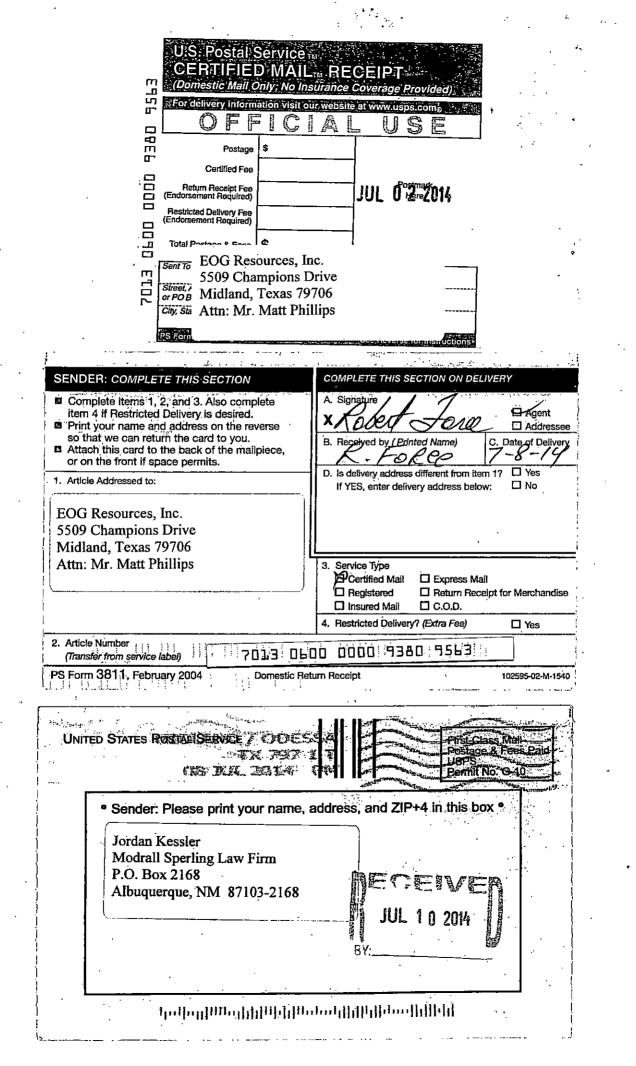
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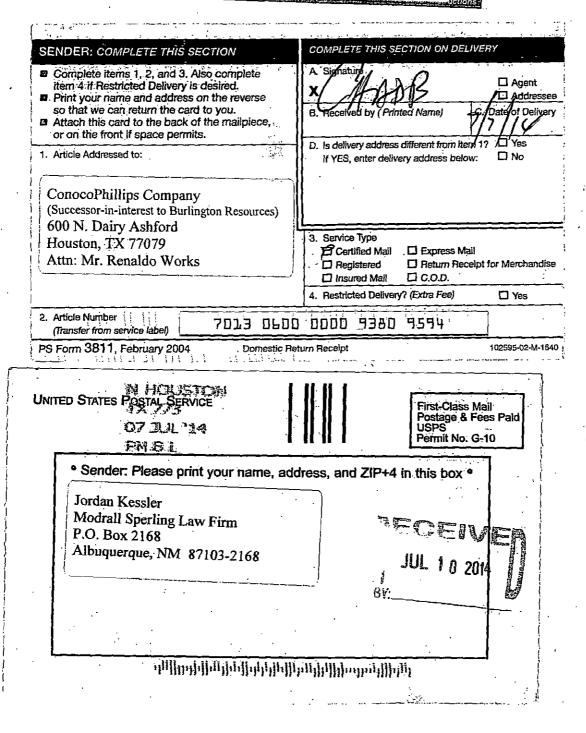
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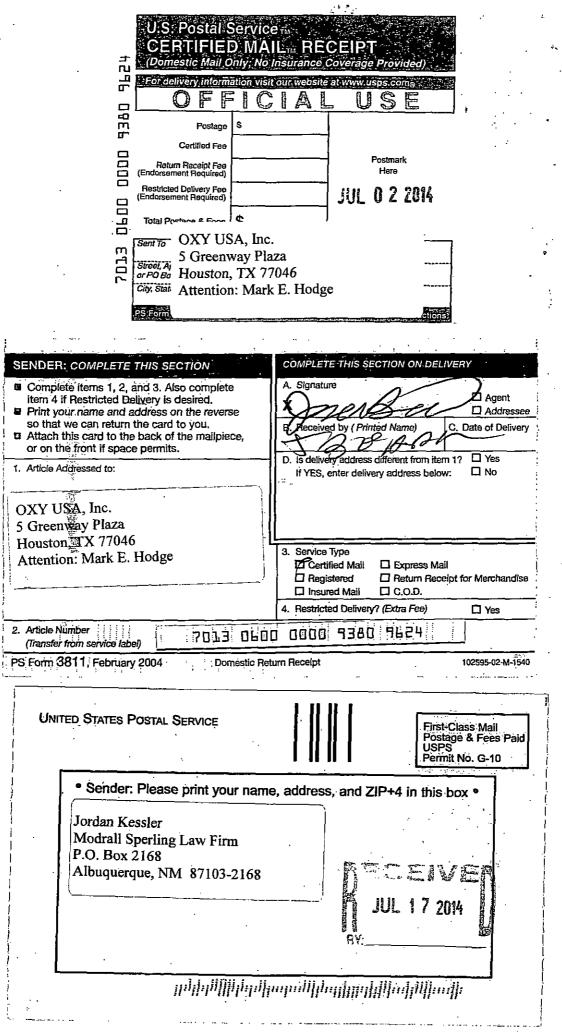
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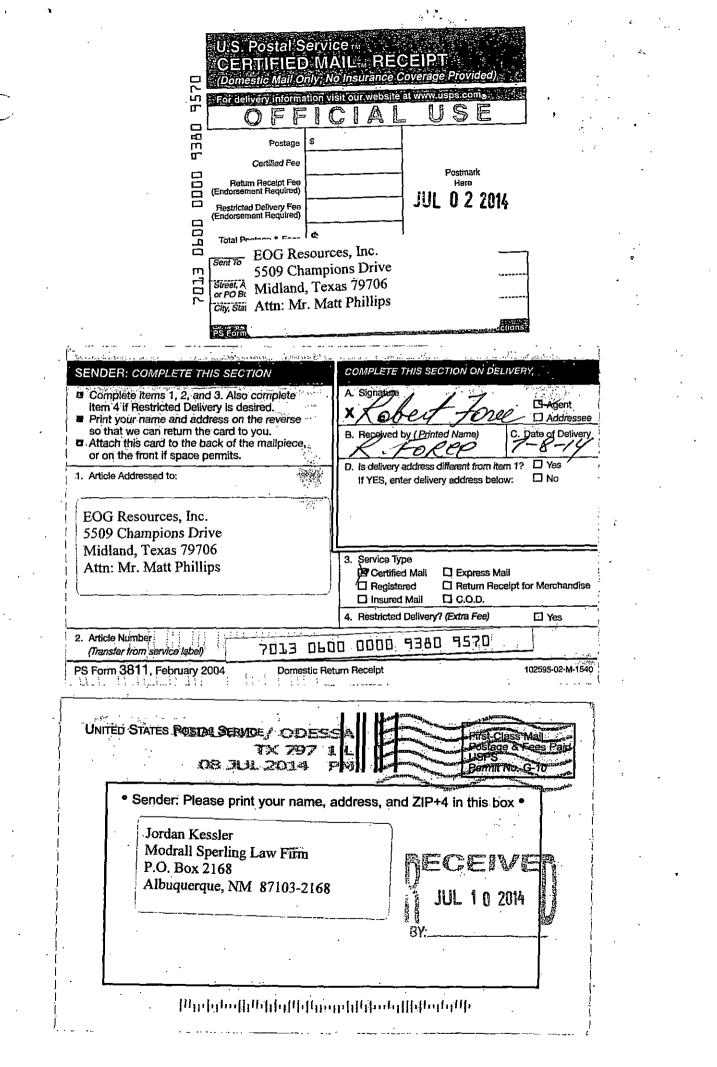
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		EOG Resources, Inc. Attn: M Phillip
		D Street, Apt. No.; 5509 Champions Drive
	•	City, State, 219+4 Midland, TX-79706
	•	PS Form 3800; August 2006
		SENDER: COMPLETE THIS SECTION. COMPLETE THIS SECTION ON DELIVERY
		Complete items 1, 2, and 3. Also completer 3 7 A Signature
		Item 4 if Restricted Delivery is desired
		so that we can return the card to you. B. Beceived by (Pointed Name) C. Date of Delivery
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		or on the front if space permits.
		1. Article Addressed to:
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	•	EOG Resources, Inc.
`		Attn: Matt Phillips
		5509 Champions Drive
	. •	Midland, TX 79706
		Certified Mail
		Registered Return Receipt for Merchandise
		Insured Mail C.O.D.
		4. Restricted Delivery? (Extra Fee) Yes
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		PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540
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		Jordan Kessler
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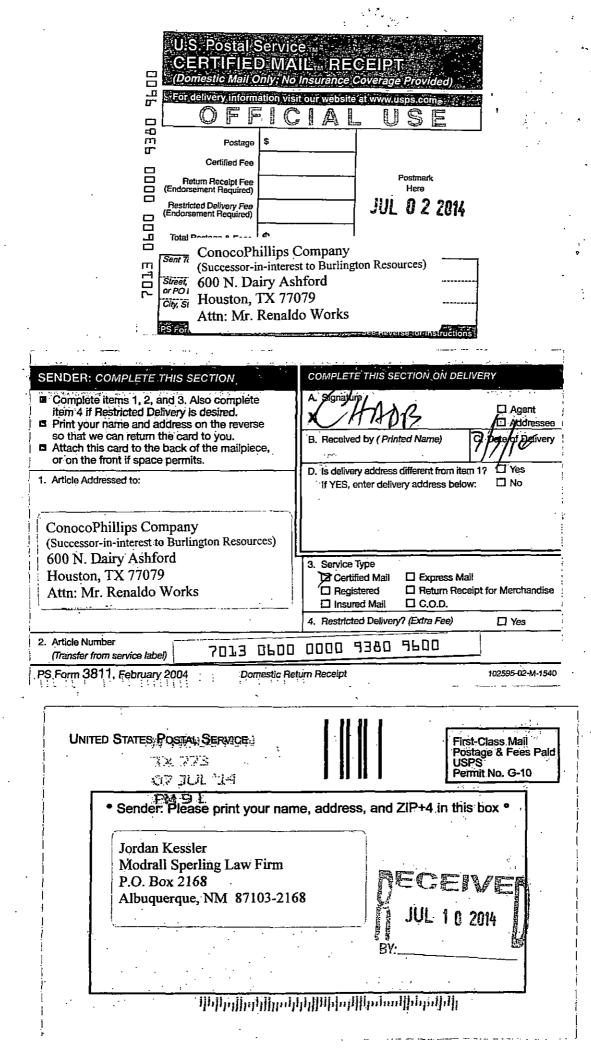


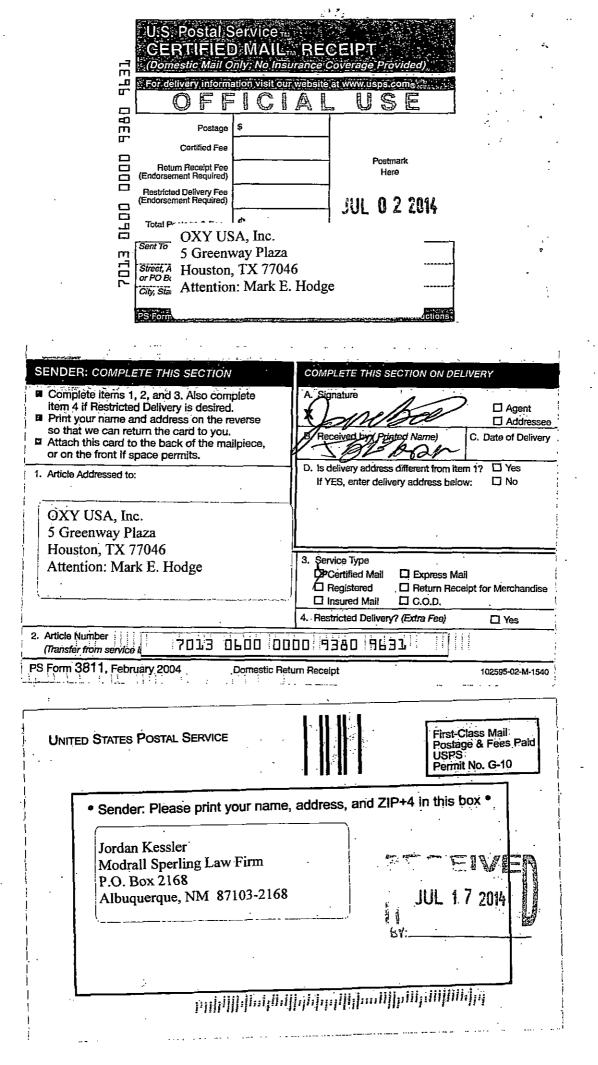
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	,	US: Postal Service CERTIFIED MAIL RECEIPT: Domestic Mell Only: No Insurance Coverage Provided) Total Postage Certified Fee (Endorsement Required) Total Pogtage 5 Sent To OXY USA, Inc. 5 Greenway Plaza Street Ap Houston, TX 77046 City: State Attention: Mark E. Hodge
		SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY
	•	 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: Complete items 1, 2, and 3. Also complete items 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to:
- .		OXY USA, Inc.
		5 Greenway Plaza Houston, TX 77046 Attention: Mark E. Hodge 3. Service Type Certified Mail E Certified Mail Registered Return Receipt for Merchandise
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		UNITED STATES POSTAL SERVICE Postage & Fees Pald USPS Permit No. G-10
		• Sender: Please print your name, address, and ZIP+4 in this box •
· · ·		Jordan Kessler Modrall Sperling Law Firm P.O. Box 2168 Albuquerque, NM 87103-2168 JUL 1 7 2014
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Affidavit of Publication

State of New Mexico, County of Lea.

I, DANIEL RUSSELL PUBLISHER of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, do solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period

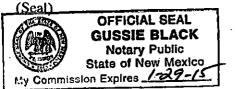
of 1 issue(s). Beginning with the issue dated June 12, 2014 and ending with the issue dated June 12, 2014

PUBLISHER Sworn and subscribed to before me this 12th day of June, 2014

ssie Blac

Notary Public

My commission expires January 29, 2015



This newspaper is duly qualified to publish legal notices or advertisments within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said publication has been made.

LEGAL NOTICE June 12, 2014 CASE NO. 15163: Notice to all affected parties of Application of COG Operating LLC for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico. COG requests a hearing at 8:15 a.m. on June 26, 2014, to consider this application. Applicant seeks an order from the Division: (1) creating a non-standard 160-acre, more or less, oil spacing and proration unit in the Brushy Canyon formation, comprised of the E/2 W/2 of Section 17, Township 24 South, Range 32 East, NMPM, Lea County, New Mexico, and (2) pooling all mineral Interests. In the Brushy Canyon formation underlying this proposed non-standard specing and proration unit. This proposed non-standard spacing and proration unit will be the project area for the Goldfinger Fed Com No. 2H well to be horizontally drilled from standard surface and bottom-terminus locations. The completed interval for this well will be within the 330-foot standard offset required by the rules. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of COG Operating LLC as operator of the well, and a 200% charge for risk. involved in drilling said well. Said area is located approximately 1.8 miles west of Cotton Place, New #29144

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JORDAN KESSLER MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A. P. O. BOX 2168 ALBUQUERQUE, NM 87103-2168

Affidavit of Publication

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e Black

Notary Public

My commission expires January 29, 2015



OFFICIAL SEAL **GUSSIE BLACK Notary Public** State of New Mexico My Commission Expires _1-29-15

This newspaper is duly qualified to publish legal notices or advertisments within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said publication has been made.

LEGAL NOTICE June 12, 2014

CASE NO. 15164: Notice to all affected partles of Application of COG Operating LLC for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico. COG requests a hearing at 8:15 a.m. on June 26, 2014, to consider this application. Applicant seeks an order from / the Division: (1) creating a non-standard 160-acre more or less, oil spacing and proration unit in the Brushy Canyon formation, comprised of the W/2 E/2 of Section 17, Township 24 South, Range 32 East, NMPM, Lea County, New Mexico; and (2) pooling all - mineral interests, in 'the Brushy Canyon formation underlying this proposed hon-standard spacing and proration unit. This proposed non-standard spacing and proration unit will be the project area for the Goldfinger Fed Com No. 3H well, to be notizontally drilled from standard surface and bottom-terminus locations. The completed interval for this well will be within the 330-foot standard. offset required by the rules. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Supervision, designation of COG Operating LLC as operator of the well, and a 200% charge for risk involved in drilling said well, Said area is located approximately 1.8. miles west of Cotton Place; New Mexico. #29143 120

00138333

JORDAN KESSLER MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A. P.O. BOX 2168 ALBUQUERQUE, NM 87103-2168

Affidavit of Publication

State of New Mexico, County of Lea.

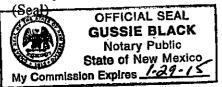
I, DANIEL RUSSELL PUBLISHER of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, do solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period

of 1 issue(s). Beginning with the issue dated June 12, 2014 and ending with the issue dated June 12, 2014

PUBLISHER Sworn and subscribed to before me this 12th day of June, 2014

Notary Public

My commission expires January 29, 2015



This newspaper is duly qualified to publish legal notices or advertisments within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said publication has been made.

LEGAL NOTICE June 12, 2014 CASE NO. 15165. Notice to all affected parties of Application of COG Operating: LLC for a non-standard enacing and Provation unit and compulsory pooling, Lea County, New Mexico, COG requests a hearing at 8:15 a.m. on June 26, 2014, to consider this application, Applicant seeks an order from the Division: (1) creating-a-non-standard 160-acre, more or less, oll spacing and proration unit in the Brushy Canyon formation, comprised of the E/2 E/2 of Section 17, Township 24 South, Range 32: East, NMPM, Lea County, New Mexico; and (2), pooling all mineral Interests in the Brushy Canyon is formation, underlying this proposed non-standard spacing and proration unit This proposed in non-standard spacing and protation unit will be the project area for the Goldfinger Fed Com No. 4H well, to be horizontally drilled from standard surface. and bottom-terminus locations. The completed and interval for this well will be within the 330-foot standard offset required by the rules. Also to be considered will be the cost of drilling and completing said well, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of COG_Operating LLC as operator of the well, and a 200% charge for risk involved in drilling said well: Said area is located approximately 1.8 miles west of Cotton Place, New Mexico. #29142 5 G. 1 • • . <u>.</u> . ÷.,

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JORDAN KESSLER MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A. P. O. BOX 2168 ALBUQUERQUE, NM 87103-2168