



**MONTGOMERY
& ANDREWS**

J. SCOTT HALL

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RECEIVED

2009 MAY 26 PM 3 40

May 26, 2009

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

Hand Delivered

Re: Application of Chesapeake Energy Corporation for Cancellation of the Division's Approval of an Application for Permit to Drill Issued to COG Operating LLC, Eddy County, New Mexico, NMOCD Case No. 14323

Dear Ms. Davidson:

Enclosed for filing are an original and three copies of the following documents:

1. Entry of Appearance of Montgomery & Andrews, P.A.; and
2. Pre-Hearing Statement of COG Operating LLC.

Please stamp one copy with today's date for return to us. Thank you.

Very truly yours,

Karen Williams

Karen Williams
Assistant to J. Scott Hall

:kw
Enclosures
cc: W. Thomas Kellahin, Esq.

WTH 5/26/09

REPLY TO:

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

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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:

CASE NO. 14323

APPLICATION OF CHESAPEAKE ENERGY
CORPORATION FOR CANCELLATION OF THE
DIVISION'S APPROVAL OF AN APPLICATION FOR
PERMIT TO DRILL ISSUED TO COG OPERATING
LLC, EDDY COUNTY, NEW MEXICO

ENTRY OF APPEARANCE

Comes now COG Operating LLC, by and through its undersigned attorneys,
Montgomery & Andrews, P.A., (J. Scott Hall) and hereby enters its appearance in the above
matter.

MONTGOMERY & ANDREWS, P.A.

By:

J. Scott Hall

J. Scott Hall
Attorneys for COG Operating LLC.
Post Office Box 2307
Santa Fe, New Mexico 87504-2307
(505) 982-3873

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was faxed to
counsel of record on the 26th day of May, 2009 as follows:

W. Thomas Kellahin
Kellahin & Kellahin
706 Gonzales Road
Santa Fe, NM 87501
(505) 982-2047 fax

J. Scott Hall
J. Scott Hall

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DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES
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FOR PERMIT TO DRILL ISSUED TO COG
OPERATING LLC, EDDY COUNTY, NEW MEXICO

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by COG Operating LLC as required by the Oil Conservation Division.

APPEARANCES

APPLICANT

Chesapeake Energy Corporation

APPLICANT'S ATTORNEY

W. Thomas Kellahin, Esq.
Kellahin & Kellahin
706 Gonzales Road
Santa Fe, NM 87501
(505) 982-4285

OPPONENT

COG Operating LLC
550 W. Texas Ave.
Suite 1300
Midland, TX 79701

OPPONENT'S ATTORNEY

J. Scott Hall
Montgomery & Andrews
P.O. Box 2307
Santa Fe, New Mexico 87504-2307
(505) 986-2646

STATEMENT OF THE CASE

APPLICANT

Applicant seeks an order canceling a previously-approved APD for the COG Blackhawk "11" Federal Com #1H Well located in the S/2 S/2 of Section 11, in Township 16 South, Range 28 East, NMPM.

OPPONENT

COG Operating LLC opposes Chesapeake's Application and asserts the APD is proper. Further, Chesapeake is estopped from seeking cancellation of the permit to drill.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EXHIBITS

OPPONENT

EST. TIME

EXHIBITS

WITNESSES

Jan Spradlin, Landman

20 minutes

Approx. 6

PROCEDURAL MATTERS

COG Operating LLC may file a motion to dismiss Applicant's Application.

MONTGOMERY & ANDREWS, P.A.

By: *J. Scott Hall*

J. Scott Hall, Esq.

Post Office Box 2307

Santa Fe, New Mexico 87504

(505) 982-3873

Attorneys for COG Operating LLC

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