



**MONTGOMERY
& ANDREWS**

J. SCOTT HALL

Cell: (505) 670-7362

Email: shall@montand.com

Reply To: Santa Fe Office

www.montand.com

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October 9, 2009

Mr. Mark E. Fesmire, Director
NM Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

Hand Delivered

Re: NMOCD Case No. 14323: Application of Chesapeake Energy Corporation for Cancellation of a Permit to Drill Issued to COG Operating LLC, Eddy County, New Mexico; Order No. R-13154-A De Novo

Dear Mr. Fesmire:

On behalf of COG Operating LLC, enclosed for filing are an original and six copies of our Application for Hearing De Novo in the above-referenced case. We also request that this matter be consolidated with the following cases presently pending on the Commission's docket:

Case No. 14365: Application of COG Operating LLC for Designation of a Non-Standard Spacing Unit and for Compulsory Pooling (Blackhawk "11" Fed Com No. 1-H), Eddy County, New Mexico

Case No. 14366: Application of COG Operating LLC for Designation of a Non-Standard Spacing Unit, Unorthodox Well Location, and for Compulsory Pooling (Blackhawk "11" Fed Com No. 2-H), Eddy County, New Mexico

In addition, pursuant to Rule 19.15.4.20 NMAC, we ask that the following case presently scheduled for examiner hearing on October 15, 2009 ~~be removed directly to the Commission and also consolidated.~~

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

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~~Case No. 14382~~ Application of Chesapeake Energy Corporation for
Cancellation of a Permit To Drill ("APD") Issued to COG Operating
LLC, Eddy County, New Mexico

The issues and parties to these cases are identical and the lands involved are all contiguous. The underlying facts are sufficiently similar so that consolidation in a single proceeding will serve the interests of administrative efficiency and economy.

We request that all four of the consolidated cases be set for hearing on December 16, 2009.

Very truly yours,



J. Scott Hall

cc: W. Thomas Kellahin, Esq.
James Bruce, Esq.
David Brooks, Esq.

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