



**MONTGOMERY
& ANDREWS**

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2009 OCT -9 P 3: 29

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
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Post Office Box 2307
Santa Fe, New Mexico 87504-2307

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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,

A handwritten signature in black ink, appearing to read "J. Scott Hall". The signature is written in a cursive style with a horizontal line above the "i" and "l".

J. Scott Hall

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

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