

DATE IN 7/12/16	SUSPENSE	ENGINEER LRL	LOGGED IN 7/12/16	TYPE NSL	APP NO. PLEL 1619533463
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ABOVE THIS LINE FOR DIVISION USE ONLY

NEW MEXICO OIL CONSERVATION DIVISION

- Engineering Bureau -

1220 South St. Francis Drive, Santa Fe, NM 87505



ADMINISTRATIVE APPLICATION CHECKLIST

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

Application Acronyms:

[NSL-Non-Standard Location] [NSP-Non-Standard Proration Unit] [SD-Simultaneous Dedication]

[DHC-Downhole Commingling] [CTB-Lease Commingling] [PLC-Pool/Lease Commingling]

[PC-Pool Commingling] [OLS - Off-Lease Storage] [OLM-Off-Lease Measurement]

[WFX-Waterflood Expansion] [PMX-Pressure Maintenance Expansion]

[SWD-Salt Water Disposal] [IPI-Injection Pressure Increase]

[EOR-Qualified Enhanced Oil Recovery Certification] [PPR-Positive Production Response]

CONCHO [#229137]

NSL-74156

- [1] TYPE OF APPLICATION - Check Those Which Apply for [A] WELL: RASPBERRY STATE COM #1H
 [A] Location - Spacing Unit - Simultaneous Dedication API# 30-025-43179
☒ NSL ☐ NSP ☐ SD
 Check One Only for [B] or [C]
 [B] Commingling - Storage - Measurement
☐ DHC ☐ CTB ☐ PLC ☐ PC ☐ OLS ☐ OLM [#97929]
 [C] Injection - Disposal - Pressure Increase - Enhanced Oil Recovery
☐ WFX ☐ PMX ☐ SWD ☐ IPI ☐ EOR ☐ PPR
 [D] Other: Specify _____ POOL: WC-025 G-06 5213326D; BONE SPRING

- [2] NOTIFICATION REQUIRED TO: - Check Those Which Apply, or ☐ Does Not Apply
 [A] ☐ Working, Royalty or Overriding Royalty Interest Owners
 [B] ☒ Offset Operators, Leaseholders or Surface Owner
 [C] ☐ Application is One Which Requires Published Legal Notice
 [D] ☐ Notification and/or Concurrent Approval by BLM or SLO
U.S. Bureau of Land Management - Commissioner of Public Lands, State Land Office
 [E] ☐ For all of the above, Proof of Notification or Publication is Attached, and/or,
 [F] ☐ Waivers are Attached

- [3] SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED ABOVE.

- [4] CERTIFICATION: I hereby certify that the information submitted with this application for administrative approval is accurate and complete to the best of my knowledge. I also understand that no action will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

Melanie J. Wilson
Print or Type Name

Signature

Regulatory Analyst
Title

7/12/16
Date

mwilson@concho.com
e-mail Address



August 29, 2016

Oil Conservation Division
Attention: Mr. Leonard Lowe
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Re: Application for Unorthodox Well Location
Raspberry State Com #1H API No. 30-025-43179
SHL: 330' FSL & 200' FEL (Unit P) Section 27, T21S, R33E
Proposed First Perf: 330' FSL & 330' FEL, Section 27, T21S, R33E
BHL: 50' FNL & 330' FEL (Unit A) Section 22, T21S, R33E
Proposed Last Perf: 200' FNL & 330' FEL, Section 22, T21S, R33E
Lea County, New Mexico

Dear Mr. Lowe:

Pursuant to Division Rule 19.15.15.13, COG Operating LLC (COG) respectfully requests administrative approval of an unorthodox oil well location for its Raspberry State Com #1H well. The producing interval of this well does not meet the 330' from the outer boundary of the producing area requirement. Attached is a Form C-102 showing the project area and the producing area of this well.

COG is seeking approval of the unorthodox location in order to maximize recovery of reserves. The New Mexico Oil Conservation Division's approval of the unorthodox completed interval for the Raspberry State Com #1H well will allow for efficient recovery of reserves thereby preventing waste and improving well performance.

The affected offset tracts are the SESE of Section 15 and the SWSW of Section 14, T21S, R33E. Please be advised that Amtex Energy, Inc. is the designated operator of the SESE Section 15, T21S, R33E and Yates Petroleum Corporation is the operator of the SWSW of Section 14, T21S, R33E. Both Amtex Energy, Inc. and Yates Petroleum Corporation have signed letters waiving their right to object to this application. Those letters are attached to this application.

Thank you for your consideration of this application. Should you have questions or require further information, please contact me at 575-748-6952 or by email at mwilson@concho.com.

Sincerely,

A handwritten signature in black ink that reads "Melanie J. Wilson".

Melanie J. Wilson
Lead Regulatory Analyst

Enclosure
cc: OCD Hobbs

DISTRICT I
1825 N. Pecos Dr., Hobbs, NM 88240
Phone (505) 283-8181 Fax (505) 283-8720

DISTRICT II
911 S. First St., Artesia, NM 88210
Phone (505) 746-1223 Fax (505) 746-9753

DISTRICT III
1000 Rio Grande Rd., Aztec, NM 87410
Phone (505) 234-5179 Fax (505) 234-5179

DISTRICT IV
1220 S. St. Francis Dr., Santa Fe, NM 87508
Phone (505) 476-5400 Fax (505) 476-5453

State of New Mexico
Energy, Minerals and Natural Resources Department

Form C-102
Revised August 1, 2011

Submit one copy to appropriate
District Office

OIL CONSERVATION DIVISION
1220 South St. Francis Dr.
Santa Fe, New Mexico 87505

WELL LOCATION AND ACREAGE DEDICATION PLAT

☐ AMENDED REPORT

API Number 30-025-43179	Pool Code 97929	Pool Name WC-025 G-06 S213326D; Bone Spring
Property Code 316099	Property Name RASPBERRY STATE COM	Well Number 1H
OGRID No. 229137	Operator Name COG OPERATING, LLC	Elevation 3709'

Surface Location

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
P	27	21 S	33 E		334	SOUTH	200	EAST	LEA

Bottom Hole Location If Different From Surface

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
A	22	21 S	33 E		51	NORTH	330	EAST	LEA

Dedicated Acres 320	Joint or Infill	Consolidation Code	Order No.
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NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

N: 536081.4
E: 735880.7
(NAD-27)

N: 536093.6
E: 738535.1
(NAD-27)

N: 533441.5
E: 735902.7
(NAD-27)

N: 530800.3
E: 735925.7
(NAD-27)

N: 528182.1
E: 735948.3
(NAD-27)

N: 525521.4
E: 735975.1
(NAD-27)

N: 530815.4
E: 738574.1
(NAD-27)

N: 525536.3
E: 738820.7
(NAD-27)

N: 536108.8
E: 741189.9
(NAD-27)

N: 533488.1
E: 741209.7
(NAD-27)

N: 530829.4
E: 741228.7
(NAD-27)

N: 528194.8
E: 741245.3
(NAD-27)

N: 525552.4
E: 741266.6
(NAD-27)

PROPOSED BOTTOM HOLE LOCATION

Lot - N 32.471309°
Long - W 103.552340°
NMSPC- N 536058.9
E 740860.3
(NAD-27)

SURFACE LOCATION

Lot - N 32.443335°
Long - W 103.551919°
NMSPC- N 525881.1
E 741064.3
(NAD-27)

OPERATOR CERTIFICATION

I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such a mineral or working interest or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the district.

Melanie J. Wilson 8/29/16
Signature Date

Melanie J. Wilson
Printed Name

mwilson@concho.com
Email Address

SURVEYOR CERTIFICATION

I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.

DATE SURVEYED: 12/1/2016
Signature of Professional Surveyor: [Signature]
Professional Surveyor: 7977
Certified: [Signature] 7977
Bureau: 201606

0' 1000' 2000' 3000' 4000'
SCALE: 1" = 2000'
WO Num.: 32232



Raspberry State Com #1H API #30-025-43179

Application for Non Standard Location

Notification List

<i>Date Sent</i>	<i>Initials</i>	<i>Tract</i>	<i>Sent Certified Return Receipt to:</i>	<i>Receipt No.</i>
7/12/2016	MJW	1	Amtex Energy, Inc., PO Box 3418, Midland, TX 79702	7013 3020 0000 8749 9412
7/12/2016	MJW	2	Yates Petroleum Corporation, 105 South Fourth St., Artesia, NM 88210	7014 3020 0000 8749 9429

Mailed 07/12/2016

Melanie J. Wilson

APPLICATION PROTESTED

NSL-7456

Applicant: COG OPERATING LLC

Application Type: NSL

Well Name: ~~Raspberry State~~ API: 30-0 25-43179
~~NO. 1 #1 Warbler~~

Protestant: Tate Savage Antex Energy

Date Protest Received: 8/8/16 Verbal
8/11/16 e-mail

Notification of Applicant: 8/11/16

Resolution: _____

Copy to Case Handler:

Lowe, Leonard, EMNRD

From: Debora Wilbourn <DWilbourn@concho.com>
Sent: Friday, September 2, 2016 9:05 AM
To: Lowe, Leonard, EMNRD
Cc: Melanie Wilson; Kenneth LaFortune
Subject: FW: Raspberry State Com #1H
Attachments: Raspberry State Com #1H NSL Application Pkg Revised 8-29-16.pdf

Importance: High

Mr. Lowe,

I received word this morning that our completion team is to rig up on the referenced well on Monday to commence frac operations.

We are still unsure if we have approval for the non-standard last take point being 200' FNL & 330' FEL. This was the agreed upon LTP with offset operators Amtex Energy, Inc. and Yates Petroleum Corp. (Copy of the revised application with waiver letters is attached for your information.)

Please let me know as soon as possible if we have the go ahead for perforations being shot at this non-standard take point.

You can reach me at this email, my office number below or cell number 575-513-1282.

Thank you so much for your help in this matter.

Debora Wilbourn

Regulatory Analyst
NM Basin Asset Team
Concho West | 2208 W Main St | Artesia, NM | 88210-3720 | 575.748.6958



From: Debora Wilbourn
Sent: Wednesday, August 31, 2016 4:26 PM
To: Leonard.Lowe@state.nm.us
Subject: Raspberry State Com #1H

Mr. Lowe,

I know that Melanie Wilson sent you the revised plat/application on this well last week while I was out of the office. This was to satisfy the protested original final perforation at 100' FNL & 330' FEL, now changed to 200' FNL & 330' FEL.

Can you tell me when we might be able to expect this revised application to be approved so our completion department may move forward with the scheduled frac operations?

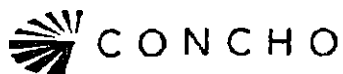
Thanks so much!

Debora Wilbourn

Regulatory Analyst



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Jon-Aaron House, CPL
Senior Landman

August 24, 2016

Amtex Energy, Inc.
Attn: Tate Savage
P.O. Box 3418
Midland, TX 79702

RE: Request for Waiver of Objection – Application for Unorthodox Well Location
Raspberry State Com 1H – API No. 30-025-43179
"Subject Well"

Dear Mr. Savage:

COG Operating LLC ("COG") is applying to the NMOCD for the unorthodox well location listed above. COG is seeking approval of the unorthodox oil well location in order to maximize recovery of reserves. The New Mexico Oil Conservation Division's approval of the unorthodox completed interval will allow for the efficient recovery of reserves thereby preventing waste and improving well performance.

COG is respectfully requesting that Amtex Energy, Inc. waive its right to protest the Subject Well, along with any future development in Section 22, T21S-R33E and Section 11, T22S-R33E which impacts the north lines of said sections, no closer than 200'. In exchange for the waiver, COG will not protest an application for any unorthodox well location along the south lines of Section 15, T21S-R33E and Section 2, T22S-R33E, as long as said well does not encroach closer than 200'.

This waiver of objection shall remain effective until 1/1/2019, or at an earlier date upon mutual agreement by both parties.

If the foregoing meets your approval, please signify by signing below and email this document to jhouse@concho.com. If there are any questions concerning this request, please call me at 432-221-0349.

Sincerely,



Jon-Aaron House, CPL
Senior Landman

I/We hereby waive any objection to the unorthodox well locations of the Raspberry State Corn 1H, and any future development as specified in this letter.

Amtex Energy, Inc.

By: William J. Savage

Date: 8/25/16

Name: WILLIAM J. SAVAGE

Title: PRESIDENT



**Jon-Aaron House, CPL
Senior Landman**

I/We hereby waive any objection to the unorthodox well locations of the Raspberry State Com 1H.

Yates Petroleum Corporation

By: Mark V. Mauritsen
Name: Mark V. Mauritsen
Title: Sr. Dir. of Geology

Date: 8/26/16

Lowe, Leonard, EMNRD

From: Lowe, Leonard, EMNRD
Sent: Thursday, August 11, 2016 12:49 PM
To: 'Melanie Wilson'
Cc: 'Tate Savage'; Jones, William V, EMNRD; Brooks, David K, EMNRD; McMillan, Michael, EMNRD
Subject: Protested NSL Application: Raspberry State Com Well No. 1H
Importance: High

RE: COG Operating LLC:
Raspberry Com Well No. 1H (API # 30-025-43179)

Located in: E/2 E/2 of Sec 22 & E/2 E/2 of Sec 27 & Sec 28, T21S, R33E, NMPM

Ms. Melanie Wilson,

OCD was notified that Tate Savage, Amtex Energy Inc. is protesting this application for approval for a Non Standard Location. This party is identified as an affected person for the location. Therefore, you are being notified that if COG Operating LLC wishes for this application to be considered, it must either go to hearing or may be reviewed administratively if the protest is withdrawn as a result of a negotiated resolution with this party. The application will be retained by OCD, but suspended from further administrative review.

Please contact OCD once you have made a decision regarding the application within the next 30 days. If the protest remains after 30 days, OCD will initiate the process for the application to be reviewed at hearing. Please call/e-mail me with any questions regarding this matter.

Contact Information:

Mr. Tate Savage (tate.savage@amtexenergy.com)
Amtex Energy Inc.
432-686-0847

Thank you.

LRL

Leonard R. Lowe

Engineering Bureau
Oil Conservation Division
Energy Minerals and Natural Resources Department
1220 South St. Frances
Santa Fe, New Mexico 87004
Office: 505-476-3492
Fax: 505-476-3462
E-mail: leonard.lowe@state.nm.us
Website: <http://www.emnrd.state.nm.us/ocd/>

Lowe, Leonard, EMNRD

Melanie Wilson (COG)

From: Tate Savage <tate.savage@amtexenergy.com>
Sent: Thursday, August 11, 2016 10:21 AM
To: Lowe, Leonard, EMNRD
Subject: ~~PROMPT~~ST: Unorthodox well location- Raspberry 1H
Attachments: Concho Application for Unorthodox Well Location Letter dated 07.12.16 (rec'd Certified Mail on 07.19.16).pdf; ATT00001.htm

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Lowe,

As my voicemail from this past Friday stated and per our phone conversation on this past Monday, Amtex is protesting the attached unorthodox well location request made by COG for the Raspberry State Com 1H well. More details of the well and its location are in the attached letter Amtex received.

Please let me know if you need anything more.

-Tate Savage
Amtex Energy, Inc.
817-706-5174

Sent from my iPad

Begin forwarded message:

From: "Karol Ann Eads" <keads@amtexenergy.com>
Date: July 19, 2016 at 3:30:35 PM CDT
To: <bsavage@amtexenergy.com>
Cc: "'Tate Savage'" <tate.savage@amtexenergy.com>, "'Ali Savage'" <ali.savage@amtexenergy.com>
Subject: Certified Letter Rec'd 07/19/16

Please see attached. Thank you.

KA

Catanach, David, EMNRD

From: Majure, Allison, NMENV
Sent: Wednesday, August 31, 2016 3:34 PM
To: Wojahn, Beth, EMNRD; Catanach, David, EMNRD
Cc: Hower, Jennifer, NMENV; Borrego, Juan Carlos, NMENV
Subject: FW: IPRA for OHSB records narrowed

Beth,

I was hoping to speak very quickly with you and David to let you know the nature of this story which is in development, as it will pivot in your direction. Will you call me anytime at 231-8800 please? Thanks.

Best,
Allison
505.231.8800

From: Majure, Allison, NMENV
Sent: Wednesday, August 31, 2016 2:32 PM
To: Verheul, John, NMENV; Genoway, Robert, NMENV; Mascarenas, Melissa, NMENV
Cc: Hower, Jennifer, NMENV; Borrego, Juan Carlos, NMENV; Vonderheide, Michael, NMENV
Subject: IPRA for OHSB records narrowed

John, Bob, and Melissa,

I was able to coach Furlow into narrowing his request. Instead of all cases from 2011 forward, he is replacing his former IPRA request with the narrowed guidance below:

A. Narrowed IPRA 8/29:

Timeframe: FY 2015 and forward
Types of sites: reports and violation-notification letters for these kinds of sites
-oil and gas well site,
-petrochemical/oil refineries, and
-chemical plant workplaces.

B. The above specifications in red replace the portion of his earlier IPRA, in red below, that was originally dated 7/29:

(1) I request in their existing and intact digital form, any and all lists, spreadsheets, and/or bibliographies of NMED OSHA inspections conducted between Jan. 1, 2011 and your office's complete and final response to this IPRA request.

(2) If no summary documents responsive to item (1), above, exist, then I request in their existing and intact digital form, any and all NMED OSHA inspection reports and violation-notification letters, dated between Jan. 1, 2011 and your office's complete and final response to this letter.

C. **Due Tuesday 9/6.** If I get this stuff by noon on Fri. 9/2 or sooner, I feel comfortable reviewing and fulfilling by 9/6, remembering that 9/5 is a holiday. John, you too? If we don't get it by Fri. 9/2, I'll plan on asking Melissa, to send a note requesting another extension.

Best,
Allison

Allison Scott Majure
NMED | 505.231.8800

From: Bryant [<mailto:bryant.furlow@gmail.com>]
Sent: Tuesday, August 30, 2016 2:31 PM
To: Majure, Allison, NMENV
Cc: Mascarenas, Melissa, NMENV
Subject: Re: Extension letter

Thank you, Ms. Majure, for our telephone conversation, this morning.

Per our discussion, I hereby reduce the scope of my IPRA request to include only final investigative reports and penalty notification letters dated FY2015 or later, regarding oil and gas well site, petrochemical/oil refineries, and chemical plant workplaces.

Please let me know if you have any additional questions.

Thank you for your time and attention to this matter.

Very respectfully,
Bryant Furlow

On Fri, Aug 26, 2016 at 9:20 AM, Majure, Allison, NMENV > wrote:
In transit now, but will assess and respond later today. Thanks.

Best,
Allison

Allison Scott Majure
Communications Director
New Mexico Environment Department
505.231.8800 cell
505.827.0314 office
allison.majure@state.nm.us

(Sent from smartphone.)

----- Original message -----

From: Bryant <bryant.furlow@gmail.com>
Date: 8/26/16 9:15 AM (GMT-07:00)
To: "Mascarenas, Melissa, NMENV" <melissa.mascarenas@state.nm.us>, "Majure, Allison, NMENV" <Allison.Majure@state.nm.us>
Subject: Re: Extension letter

Dear Ms. Mascarenas and Ms. Majure,

Good morning. Thank you both for your time and help with my IPRA requests.

If I understand your recent extension letter correctly, NM OSHA (OHSB) does not have any tracking documents or lists of inspections conducted and penalties assessed for workplace safety violations.

That being the case, it is my understanding that the department is therefore gathering the actual inspection reports and violation notifications.

I am writing to ask how I can assist in facilitating the department's response.

May I come to the filing room to assist in identifying responsive records? I've done this for other environment departments in past years.

Would it significantly reduce the time required to respond to this IPRA request, if I narrowed the scope of the request to include only penalty letters and inspection reports related to oil and gas industry facilities -- well sites, refineries, and chemical plants?

I remain anxious to obtain the information I need without undue demands on staff time. Please do not hesitate to suggest summary documents that would be responsive -- that would convey the information requested -- without requiring staff to chase down every responsive record. Please also let me know if I can come assist in records searches, on-site.

Thank you again.

Very respectfully,
Bryant Furlow

On Mon, Aug 15, 2016 at 3:53 PM, Mascarenas, Melissa, NMENV <melissa.mascarenas@state.nm.us> wrote:

-----Original Message-----

From: scanner, nmenv, NMENV
Sent: Monday, August 15, 2016 3:20 PM
To: Mascarenas, Melissa, NMENV
Subject: lettet

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Device.

Attachment File Type: pdf, Multi-Page

Multifunction Device Location: Runnels OGC N4082
Device Name: OGCXerox

For more information on Xerox products and solutions, please visit <http://www.xerox.com>

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Bryant Furlow, medical journalist

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Bryant Furlow, medical journalist