



COG OPERATING LLC

Certified Mail No. 91 7199 9991 7033 2439 0801

June 5, 2015

Western Equipment Co.
P. O. Box 5457
Midland, Texas 79704

RE: Communitization Agreement
West Pearl 36 State Com #6H
Section 36: W $\frac{1}{2}$ W $\frac{1}{2}$
Township 19 South - Range 34 East
Lea County, New Mexico

Gentlemen:

COG Operating LLC ("Concho") intends to spud the West Pearl 36 State Com #6H well (the "Well") in the W $\frac{1}{2}$ W $\frac{1}{2}$ of Section 36, Township 19 South, Range 34 East, N.M.P.M., Lea County, New Mexico on or around June 26, 2015. The Well will traverse State Leases VB-0797-0000, E0-6005-0001, and E0-6005-0003, and Concho desires to communitize said leases as to the Bone Spring formation.

Concho's records as well as the State Land Office indicate that Western Equipment Co. is the Lessee of Record for State Lease E0-6005-0001 (the "Lease"). However, it appears as though Western Equipment Co. conveyed all its right, title and interest in the Lease to Union Oil Company of California in that certain Assignment of Working Interest and Operating Rights and Overriding Royalty Interest agreement recorded in Book 334, Page 162 in the public record of Lea County, New Mexico as to depths below 5,400', which would include the Bone Spring formation.

Therefore, Concho respectfully request that Western Equipment Co. execute the enclosed Communitization Agreement along with three (3) sets of signature pages as Lessee of Record Title for the Lease. In the alternative, Western Equipment Co. can transfer record title for the Lease to Concho to remove itself entirely from any responsibilities associated with said lease or the Well. Please be advised that Concho will be required to file for compulsory pooling for Western Equipment Co.'s interest in the Lease if Communitization Agreements for the Well or record title is not transferred in the near future.

Please feel free to contact Concho with any comments, questions or concerns.

Respectfully,

COG OPERATING LLC

Jeff Lierly, CPL
Landman

Enclosures

**BEFORE THE OIL CONVERSATION
DIVISION**
Santa Fe, New Mexico
Exhibit No. 9
Submitted by: **COG OPERATING LLC**
Hearing Date: July 23, 2015