

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**APPLICATION OF COG OPERATING LLC
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

Case No. 20935

PRE-HEARING STATEMENT

LEE M. KUGLE, Opponent in the above-captioned case, provides this Pre-Hearing Statement as required by the rules of the Division.

APPEARANCES

APPLICANT

COG OPERATING LLC

APPLICANT'S ATTORNEYS:

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OPPONENTS

LEE M. KUGLE

OPPONENT'S ATTORNEY:

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STATEMENT OF THE CASE

In Case No. 20935, COG Operating LLC seeks an order pooling all uncommitted interests in the Wolfcamp formation underlying a standard 767.52-acre, more or less, horizontal spacing unit comprised of the W/2 of Sections 22 and 27, and the N/2 NW/4 and Lots 1-2 (W/2 equivalent) of irregular Section 34, Township 26 South, Range 28 East, Eddy County, New Mexico. COG seeks to dedicate the above-referenced horizontal spacing unit to the following proposed initial wells:

- the **Potato Baby State Com #704 well** to be drilled from a surface hole location in NE/4 NW/4 (Unit C) of Section 22 to a bottom hole location in the SE/4 NW/4 (Lot 2) of Section 34; and
- the **Potato Baby State Com #705H well** and the **Potato Baby State Com #706H well**, both of which are to be drilled from a common surface hole location in NW/4 NW/4 (Unit D) of Section 22 to a bottom hole location in the SW/4 NW/4 (Lot 1) of Section 34.

The completed interval for the proposed wells will comply with the setback requirements of the Special Rules for the Purple Sage Wolfcamp Pool.

Opponent owns mineral interests located in the SE/4 NW/4 of Section 22, Township 26 South, Range 28 East, NMPM, Eddy County, New Mexico.

PROPOSED EVIDENCE

APPLICANT:

| WITNESSES | EST. TIME | EXHIBITS |
|--------------------------|-----------|-----------|
| Travis Macha, Landman | Affidavit | Approx. 5 |
| Travis Sparks, Geologist | Affidavit | Approx. 3 |

OPPONENT LEE A. KUGLE:

WITNESSES

EST. TIME

EXHIBITS

TBD

TBD

TBD

PROCEDURAL MATTERS

Applicant and Opponent are currently negotiating a voluntary pooling agreement. If the parties enter into a voluntary agreement, Opponent will no longer oppose the Application for the above-captioned matter.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: /s/Sharon T. Shaheen

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following
counsel of record by electronic mail on December 5, 2019:

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Attorneys for COG Operating LLC

/s/ Sharon T. Shaheen

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