

**BEFORE THE  
OIL CONSERVATION DIVISION  
NEW MEXICO ENERGY, MINERALS AND  
NATURAL RESOURCES DEPARTMENT**

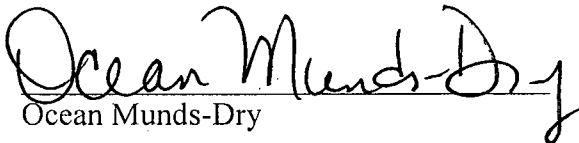
**APPLICATION OF COG OPERATING LLC  
TO INCREASE WELL DENSITY  
IN THE BURCH KEELY FEDERAL  
UNIT, EDDY COUNTY, NEW MEXICO.**

**CASE NO. 14759**

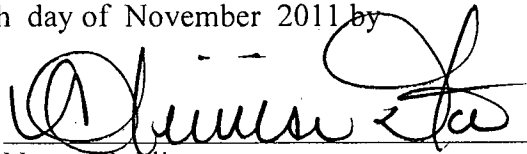
**AFFIDAVIT**

STATE OF NEW MEXICO            )  
  ) ss.  
COUNTY OF SANTA FE            )

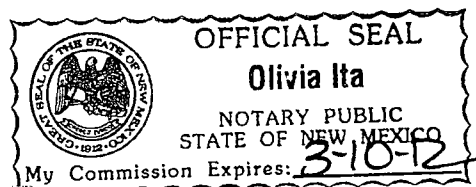
Ocean Munds-Dry, attorney in fact and authorized representative of COG Operating LLC, the Applicant herein, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

  
Ocean Munds-Dry

SUBSCRIBED AND SWORN to before me this 9th day of November 2011 by  
Ocean Munds-Dry.

  
Notary Public.

My Commission Expires: 3-10-2012



**EXHIBIT A**  
**COG OPERATING LLC'S NOTICE LIST**

BURNETT OIL CO INC  
Attn: David Rhodes, Land Manager  
801 CHERRY ST STE 1500, Unit #9  
FT WORTH, TX 76102

MACK ENERGY CORP  
Attn: Travis Lanning  
PO Box 960 11352 Lovington Hwy  
Artesia, NM 88211

THREE RIVERS OPERATING COMPANY LLC  
Attn: Tim Kane, Land Manager  
1122 S. Capital of Texas Hwy Suite 325  
Austin, TX 78746

# Affidavit of Publication

NO.

21889

STATE OF NEW MEXICO

County of Eddy:

Danny Scott

being duly sworn, says that he is the

Publisher

of the Artesia Daily Press, a daily newspaper of general  
circulation, published in English at Artesia, said county  
and state, and that the hereto attached

## Legal Notice

was published in a regular and entire issue of the said  
Artesia Daily Press, a daily newspaper duly qualified  
for that purpose within the meaning of Chapter 167 of  
the 1937 Session Laws of the state of New Mexico for  
1 Consecutive weeks/days on the same

day as follows:

First Publication October 20, 2011

Second Publication

Third Publication

Fourth Publication

Fifth Publication

Subscribed and sworn to before me this

20th day of October 2011



OFFICIAL SEAL  
Latisha Romine  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 5/12/2015

Latisha Romine

Latisha Romine  
Notary Public, Eddy County, New Mexico

# Copy of Publication:

## LEGAL NOTICE

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

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on November 10, 2011, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Florene Davidson at 505-476-3458 or through the New Mexico Relay Network: 1-800-659-1779 by November 1, 2011. Public documents including the agenda and minutes can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

### STATE OF NEW MEXICO TO:

All named parties and persons  
having any right, title, interest  
or claim in the following cases  
and notice to the public

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

CASE NO.: 14759

Application of COG Operating LLC To Increase Well Density in the Burch Keely Federal Unit, Eddy County, New Mexico. Applicant seeks an order for an exception to the oil well density limits within the horizontal limits of the Burch Keely Federal Unit, Grayburg Jackson Seven Rivers Queen Grayburg San Andres (or the proposed Burch Keely Glorieta Yeso Pool). Specifically, Concho seeks authorization for up to 4 wells completed in the Paddock member of the Yeso formation and 4 wells in the Blinberry member of the Yeso formation. The pools are located approximately 12 miles east of Artesia, New Mexico and 17 miles west of Lovington, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Division at Santa Fe, New Mexico on this 17th day of October 2011.

STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION

Jami Bailey, Division Director

Published in the Artesia Daily Press, Artesia, N.M. Oct. 20, 2011. Legal No. 21889



October 11, 2011

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

TO: AFFECTED PARTIES

Re: Application of COG Operating LLC to Increase Well Density in the  
Burch Keely Federal Unit, Eddy County, New Mexico.

RECEIVED OGD  
2011 OCT 11 PM 3:25

Ladies and Gentlemen:

This letter is to advise you that COG Operating LLC has filed the enclosed application with the New Mexico Oil Conservation Division seeking an exception to the oil well density limits within the horizontal limits of the Burch Keely Unit, Grayburg Jackson Pool or the proposed Burch Keely Glorieta-Yeso Pool to increase well density within the Burch Keely Federal Unit, Eddy County, New Mexico.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on November 10, 2011. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Parties appearing in cases are required by Division Rule 1208.B to file a Pre-hearing Statement four days in advance of a scheduled hearing. This statement must be filed at the Division's Santa Fe office at the above specified address and should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Sincerely,

Ocean Munds-Dry  
Attorney for COG Operating LLC

7006 0100 0005 0625 3827

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 (Domestic Mail Only; No Insurance)

For delivery information, visit our website

**OFFICIAL**

Postage \$ 1.59  
 Certified Fee 2.85  
 Return Receipt Fee (Endorsement Required) 2.30  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 5.74

Sent

Street or PO

City

PS Form

Burnett Oil Co. Inc.  
 Attn: David Rhodes, L  
 801 Cherry St Ste 1500  
 Fort Worth, TX 76102

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Burnett Oil Co. Inc.  
 Attn: David Rhodes, Land Manager  
 801 Cherry St Ste 1500, Unit #9  
 Fort Worth, TX 76102

**2. Article Number**

(Transfer from service label)

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

X Melissa Mack ☒ Agent ☐ Addressee

**B. Received by (Printed Name)**

Melissa Mack

**C. Date of Delivery**

Oct 14 REC'D

**D. Is delivery address different from item 1?** ☐ Yes  
 If YES, enter delivery address below: ☐ No

**3. Service Type**

☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

**4. Restricted Delivery? (Extra Fee)** ☐ Yes

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Domestic Return Receipt

102595-02-M-1540

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U.S. Postal Service  
**CERTIFIED MAIL™** RE  
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Postage \$ .59  
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Return Receipt Fee (Endorsement Required) 2.30  
Restricted Delivery Fee (Endorsement Required)  
Total Postage & Fees \$ 5.74

Three Rivers Operating Company  
LLC  
Attn: Tim Kane, Land Manager  
1122 S. Capital of Texas Hwy  
Suite 325  
Austin, TX 79746

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
  
Three Rivers Operating Company  
LLC  
Attn: Tim Kane, Land Manager  
1122 S. Capital of Texas Hwy  
Suite 325  
Austin, TX 79746

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *M. Chambers* ☐ Agent ☐ Addressee  
B. Received by (Printed Name) *M. Chambers* C. Date of Delivery *10/14/11*  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7006 0100 0005 0625 3834

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**CERTIFIED MAIL™**  
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For delivery information visit our website

**OFFICIAL**

Postage \$ .59  
Certified Fee 2.85  
Return Receipt Fee (Endorsement Required) 2.30  
Restricted Delivery Fee (Endorsement Required)

Mack Energy Corp  
Attn: Travis Lanning  
PO Box 960 11352 Lovington Hwy  
Artesia, NM 88211

**SENDER: COM**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
  
Mack Energy Corp  
Attn: Travis Lanning  
PO Box 960 11352 Lovington Hwy  
Artesia, NM 88211

2. Article Number  
(Transfer from service label)

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *Kathy Donaghe* ☐ Agent ☐ Addressee  
B. Received by (Printed Name) *KATHY DONAGHE* C. Date of Delivery  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7006 0100 0005 0625 3841

Domestic Return Receipt

102595-02-M-1540

7006 0100 0005 0625 3841

PS Form 3800, June 2002