

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

IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION DIVISION FOR  
THE PURPOSE OF CONSIDERING:

ORIGINAL

APPLICATION OF COG OPERATING, LLC, FOR  
A NONSTANDARD SPACING AND PRORATION UNIT  
AND COMPULSORY POOLING, EDDY COUNTY,  
NEW MEXICO

Case 14879

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: DAVID K. BROOKS, Presiding Examiner  
WILLIAM V. JONES, Technical Examiner

August 9, 2012

Santa Fe, New Mexico

This matter came on for hearing before the  
New Mexico Oil Conservation Division, DAVID K. BROOKS,  
Presiding Examiner, and WILLIAM V. JONES, Technical  
Examiner, on Thursday, August 9, 2012, at the New Mexico  
Energy, Minerals and Natural Resources Department, 1220  
South St. Francis Drive, Room 102, Santa Fe, New Mexico.

REPORTED BY: Jacqueline R. Lujan, CCR #91  
Paul Baca Professional Court Reporters  
500 Fourth Street, N.W., Suite 105  
Albuquerque, NM 87103 505-843-9241

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A P P E A R A N C E S

FOR THE APPLICANT:

HOLLAND & HART, LLP  
ADAM G. RANKIN, ESQ.  
110 North Guadalupe, Suite 1  
Santa Fe, New Mexico 87501  
(505)988-4421

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1                   EXAMINER BROOKS: At this time we call  
2 Case Number 14879, Application of COG Operating, LLC, for  
3 a nonstandard spacing and proration unit and compulsory  
4 pooling, Eddy County, New Mexico.

5                   Call for appearances.

6                   MR. RANKIN: Thank you, Mr. Examiner.  
7 Adam Rankin, of Holland & Hart, on behalf of COG  
8 Operating.

9                   I've got no witnesses today. This is just for  
10 purposes of an update on the notice requirements.

11                  EXAMINER BROOKS: That was my  
12 understanding, that it was merely to supplement the  
13 record in some manner.

14                  MR. RANKIN: That's correct. We have  
15 published notice to identify the individuals who were  
16 unlocatable, and I'd like to present that as Exhibit  
17 Number 8.

18                  EXAMINER BROOKS: Okay. Do you have one  
19 for the court reporter?

20                  MR. RANKIN: I do.

21                  So this is an application of publication  
22 indicating that notice was published --

23                  EXAMINER BROOKS: That's never happened  
24 before. Your compulsory pooling case fell through the  
25 cracks.

1 MR. RANKIN: I hate to see that happen.

2 Mr. Examiner, this was published on July 24th,  
3 indicating that notice was provided to the named  
4 individuals on the publication.

5 EXAMINER BROOKS: Okay. It says, "July  
6 24th," there?

7 MR. RANKIN: That's right.

8 EXAMINER BROOKS: And that would be -- 20  
9 days would be August the --

10 MR. RANKIN: Under the rule, Mr. Examiner,  
11 I believe it's a 10-day publication rule.

12 EXAMINER BROOKS: Which rule is that? I  
13 forget these things sometimes. Is that 4.12?

14 MR. RANKIN: Let me get it for you real  
15 quick. Yeah, 4.12, Subsection B. "When an applicant has  
16 been unable to locate persons entitled to notice, the  
17 applicant shall provide notice of that publication and  
18 exhibit proof of publication at the hearing. Such proof  
19 shall consist of a copy of the legal advertisement  
20 published at least 10 business days before" --

21 EXAMINER BROOKS: Okay. Then that would  
22 be August the 3rd, which has well passed. Thank you for  
23 reminding me. Okay. Anything further?

24 MR. RANKIN: Nothing further,  
25 Mr. Examiner.

1 EXAMINER BROOKS: Very good. Case Number  
2 14789 is taken under advisement.

3 (Exhibit 8 was admitted.)

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I do hereby certify that the foregoing is  
a complete record of the proceedings in  
the Examiner hearing of Case No. 14789,  
heard by me on 8-9-12.

David K. Brooks, Examiner  
Oil Conservation Division

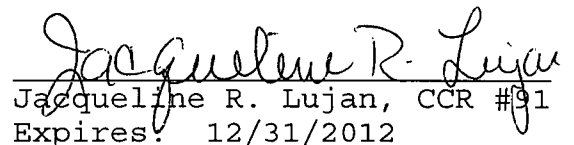
## REPORTER'S CERTIFICATE

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I, JACQUELINE R. LUJAN, New Mexico CCR #91, DO  
HEREBY CERTIFY that on August 9, 2012, the proceedings in  
the above-captioned case were taken before me and that I  
did report in stenographic shorthand the proceedings set  
forth herein, and the foregoing pages are a true and  
correct transcription to the best of my ability.

I FURTHER CERTIFY that I am neither employed by  
nor related to nor contracted with any of the parties or  
attorneys in this case and that I have no interest  
whatsoever in the final disposition of this case in any  
court.

WITNESS MY HAND this 20th day of August, 2012.

  
Jacqueline R. Lujan, CCR #91  
Expires: 12/31/2012