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

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

APPLICATION OF COG OPERATING LLC FOR A NON-STANDARD SPACING AND PRORATION UNIT AND COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

CASE NO. 15185

AFFIDAVIT

STATE OF NEW MEXICO)) ss. COUNTY OF BERNALILLO)

Jordan L. Kessler, attorney in fact and authorized representative of COG Operating LLC, the Applicant herein, being first duly sworn, upon oath, states that the above-referenced Application was provided under the notice letter and proof of receipt attached hereto.

SUBSCRIBED AND SWORN to before me this 2^{4} day of September 2014 by Jordan

BEFORE THE OIL CONSERVATION DIVISION Santa Fe, New Mexico Exhibit No. 7 Submitted by: <u>COG OPERATING LLC</u> Hearing Date: September 4, 2014

L. Kesslerexpires:

Affidavit of Publication

State of New Mexico. County of Lea.

I, DANIEL RUSSELL PUBLISHER of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, do solemnly swear that the clipping attached hereto was published in the regular and entire issue of said newspaper, and not a supplement thereof for a period

of 1 issue(s). Beginning with the issue dated July 23, 2014 and ending with the issue dated July 23, 2014

PUBLISHER Sworn and subscribed to before me this 23rd day of July, 2014

Notary Public

My commission expires January 29, 2015 (Seal)



OFFICIAL SEAL GUSSIE BLACK Notary Public State of New Mexico-My Commission Expires 1-29-15

This newspaper is duly qualified to publish legal notices or advertisments within the meaning of Section 3, Chapter 167, Laws of 1937 and payment of fees for said publication has been made.

LEGAL NOTICE July 23, 2014 15185 CASE NO. Notice to all affected heirs and parties, devisees; Including Lindy's Living Trust, Living Trust, and Moore & Shelton Company, Ltd.: COG Operating LLC is currently applying for a non-standard spacing and provation unit and compulsory pobling, Lea County, New Mexico. Applicant seeks an order from the Division: (1) creating: a non-standard 160-acre more or less, oil spacing and proration unit in the Yeso A formation. comprised of the W/2 W/2 of Section 15, Township 17 South, Range 32 East, NMPM, Lea County, New Mexico; and (2) pooling all mineral interests in the Yeso formation underlying this proposed non-standard spacing and proration unit. This proposed non-standard spacing and proration unit will be the project area for the lyar the Bonelessi Federal No. 1H well. The completed interval for this well will be within the 330-loot standard offset required by the statewide rutes: Also to be considered will be the cost of drilling and completing said well, the allocation of these costs : as well as the actual operating costs and charges: for supervision, designation of COG Operating LLC as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 1 mile south of Malijamar, New Mexico. #29247

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00140657

JORDAN KESSLER MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A. P. O. BOX 2168 ALBUQUERQUE, NM 87103-2168



July 9, 2014

<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

TO: POOLED PARTIES LISTED ON EXHIBIT A

Re: Application for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

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 a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on August 7, 2014. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Office 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 hearing.

'Yn Sincerely.

Jordan L. Kessler Attorney for COG Operating LLC

Enclosure

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Modrail Speriing Roehl Harris & Sisk P.A.

Bank of America Centre 500 Fourth Street NW Suite 1000 Albuquerque, New Mexico 87102

PO Box 2168 Albuquerque, New Mexico 87103-2168

Tel: 505.848.1800 www.modrall.com

Jordan L. Kessler 505.848.1849 Fax: 505.449.9710 ilk@modrall.com



July 9, 2014

<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

TO: OFFSET PARTIES LISTED ON EXHIBIT A

Re: Application for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

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 a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico. You are an offset operator to the proposed non-standard spacing and proration unit in the W/2 W/2 of Section 15, Township 17 South, Range 32 East, NMPM, Lea County, New Mexico.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on August 7, 2014. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Office 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.

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Sincerely,

Jordan L. Kessler Attorney for COG Operating LLC

Modrall Sperling Roehl Harris & Sisk P.A.

Jordan L. Kessler 505.848.1849 Fax: 505.449.9710

ilk@modrall.com

Bank of America Centre 500 Fourth Street NW Suite 1000 Albuquerque, New Mexico 87102

PO Box 2168 Albuquerque, New Mexico 87103-2168

Tel: 505.848.1800 www.modrali.com

Enclosure

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LAWYERS

July 21, 2014

<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

Jordan L. Kessler 505.848.1849 Fax: 505.449.9710 jlk@modrall.com

TO: OFFSET PARTIES LISTED ON REVISED EXHIBIT A

Re: Application for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

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 a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico. You are an offset operator to the proposed non-standard spacing and proration unit in the W/2 W/2 of Section 15, Township 17 South, Range 32 East, NMPM, Lea County, New Mexico.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on August 21, 2014. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Office 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.

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Vordan L. Kessler Attorney for COG Operating LLC

Modrall Sperling Roehl Harris & Sisk P.A.

Bank of America Centre 500 Fourth Street NW Suite 1000 Albuquerque, New Mexico 87102

PO Box 2168 Albuquerque, New Mexico 87103-2168

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Enclosure

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LAWYERS

July 21, 2014

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<u>CERTIFIED MAIL</u> <u>RETURN RECEIPT REQUESTED</u>

Jordan L. Kessler 505.848.1849 Fax: 505.449.9710 jlk@modrall.com

TO: POOLED PARTIES LISTED ON REVISED EXHIBIT A

Re: Application for a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

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 a non-standard spacing and proration unit and compulsory pooling, Lea County, New Mexico.

This application has been set for hearing before a Division Examiner at 8:15 a.m. on August 21, 2014. The hearing will be held in Porter Hall in the Oil Conservation Division's Santa Fe Office 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.

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Sincerely.

Jordan L. Kessler Attorney for COG Operating LLC

Enclosure

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Modrall Sperling Roehl Harris & Sisk P.A.

Bank of America Centre 500 Fourth Street NW Suite 1000 Albuguerque, New Mexico 87102

PO Box 2168 Albuquerque, New Mexico 87103-2168

Tel: 505.848.1800 www.modrall.com

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

APPLICATION OF COG OPERATING LLC FOR A NON-STANDARD OIL SPACING AND PRORATION UNIT AND COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

CASE NO. 15185

APPLICATION

COG Operating LLC ("Concho"), through its undersigned attorneys, hereby makes application to the Oil Conservation Division pursuant to the provisions of NMSA 1978, Section 70-2-17, for an order: (1) creating a non-standard 160-acre, more or less, oil spacing and proration unit in the Yeso formation, comprised of the W/2 W/2 of Section 15, Township 17 South, Range 32 East, NMPM, Lea County, New Mexico; and (2) pooling all mineral interests in the Yeso formation underlying this proposed non-standard spacing and proration unit. In support of this application, Concho states as follows:

- 1. Concho is an interest owner in the subject lands and has the right to drill a well thereon.
- Concho seeks to dedicate the W/2 W/2 of Section 15 to the proposed well to form a non-standard 160-acre, more or less, oil spacing and proration unit (the "project area").
- 3. Concho proposes to drill the Ivar the Boneless Fed. No. 1H to a depth sufficient to test the Yeso formation.

- 4. This project area is located within the Mar Loco-Glorieta-Yeso pool (pool code 97866). The completed interval for this well will be within the 330-foot setback required by the statewide rules.
- 5. Concho has sought but been unable to obtain a voluntary agreement from all interest owners in the Yeso formation underlying the proposed project area to participate in the drilling of the well or to otherwise commit their interests to the well.
- 6. Approval of the non-standard unit and the pooling of all interests in the Yeso formation underlying the proposed project area will prevent the drilling of unnecessary wells, prevent waste and protect correlative rights.
- Notice of this application has been given in accordance with Division rules as shown on <u>Exhibit A</u>.

WHEREFORE, COG Operating LLC requests this application be set for hearing before an Examiner of the Oil Conservation Division on August 7, 2014, and after notice and hearing as required by law, the Division enter its order:

- A. Creating a non-standard oil spacing and proration unit ("project area") in the Yeso_formation comprised of W/2 W/2 of Section 15, Township 17 South, Range 32 East, NMPM, Lea County, New Mexico;
- B. Pooling all mineral interests in the Yeso formation underlying this nonstandard spacing and proration unit/project area;
- C. Designating Concho as operator of this unit and the well to be drilled thereon;
- D. Authorizing Concho to recover its costs of drilling, equipping and completing this well;

- E. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and
- F. Setting a 200% charge for the risk involved in drilling and completing the well in the event a working interest owner elects not to participate in the well.

Respectfully submitted,

Jordan L. Kessler Post Office Box 2168 Albuquerque, New Mexico 87103 (505) 848-1800 Phone (505) 848-1897 Facsimile

ATTORNEY FOR COG OPERATING LLC

EXHIBIT A COG OPERATING LLC NOTICE LIST

Parties to be pooled:

Lindy's Living Trust 6300 Ridglea Place Suite 1005 A Fort Worth, TX 76116

Delmar Hudson Lewis Living Trust 6300 Ridglea Place Suite 1005 A Fort Worth, TX 76116

Moore & Shelton Company, Ltd. P.O. Box 3070 Galveston, TX 77552

Ard Oil, Ltd. 4808 Westridge Ave Fort Worth, TX 76116

Zorro Partners, Ltd. 616 Texas St. Fort Worth, TX 76116

ConocoPhillips Company 600 N. Dairy Ashford, 2WL-15058 Houston, TX 77079 Attn: Tom Scarbrough

Offsets:

COG Operating LLC 600 W. Illinois Ave Midland, TX 79701

(offset operator) ConocoPhillips Company 600 N. Dairy Ashford, 2WL-15058 Houston, TX 77079 Attn: Tom Scarbrough Fuel Products, Inc. P.O. Box 3098 Midland, TX 79702

Pear Resources P.O. Box 11044 Midland, TX 79702

Marcus Wayne Luna P.O. Box 1889 Midland, TX 79702

Lindy's Living Trust 6300 Ridglea Place Suite 1005 A Fort Worth, TX 76116

Delmar Hudson Lewis Living Trust (T.A dtd:9/9/02) 6300 Ridglea Place Suite 1005 A Fort Worth, TX 76116

Moore & Shelton Company, Ltd. P.O. Box 3070 Galveston, TX 77552

Ard Oil, Ltd. 4808 Westridge Ave Fort Worth, TX 76116

Zorro Partners, Ltd. 616 Texas St. Fort Worth, TX 76116

Occidental Permian Limited Partnership 5 Greenway Plaza, Suite 110 Houston, TX 77046

Legacy Reserves 303 West Wall, Suite 1800 Midland, TX 79702

REVISED EXHIBIT A COG OPERATING LLC NOTICE LIST

Parties to be pooled:

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Lindy's Living Trust 6300 Ridglea Place Suite 1005 A Fort Worth, TX 76116

Lindy's Living Trust C/O Ms. Francis H. Hudson 4200 S. Hulen, St. 302 Ft. Worth, TX 76109

Delmar Hudson Lewis Living Trust 6300 Ridglea Place Suite 1005 A Fort Worth, TX 76116

Delmar Hudson Lewis Living Trust Bank of America, NA, Trustee Drawer 840738 Dallas, TX 75284-0738 Attn: Ms. Deborah Coughlin

Moore & Shelton Company, Ltd. P.O. Box 3070 Galveston, TX 77552

Ard Oil, Ltd. 4808 Westridge Ave Fort Worth, TX 76116

Zorro Partners, Ltd. 616 Texas St. Fort Worth, TX 76116

ConocoPhillips Company 600 N. Dairy Ashford, 2WL-15058 Houston, TX 77079 Attn: Tom Scarbrough

Offsets:

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Delmar Hudson Lewis Living Trust 6300 Ridglea Place Suite 1005 A Fort Worth, TX 76116

Delmar Hudson Lewis Living Trust Bank of America, NA, Trustee Drawer 840738 Dallas, TX 75284-0738 Attn: Ms. Deborah Coughlin

Moore & Shelton Company, Ltd. P.O. Box 3070

Galveston, TX 77552

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Ard Oil, Ltd. 4808 Westridge Ave Fort Worth, TX 76116

Zorro Partners, Ltd. 616 Texas St. Fort Worth, TX 76116

Occidental Permian Limited Partnership 5 Greenway Plaza, Suite 110 Houston, TX 77046

Legacy Reserves 303 West Wall, Suite 1800 Midland, TX 79702 1

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Pooled Party (Case No. 15185)	USPS Article No.	Date Returned
Lindy's Living Trust	7013 0600 0000 9380 9662	Returned 7/21/14 -
6300 Ridglea Place		Not Deliverable as
Suite 1005 A		Addressed/Unable to Forward
Fort Worth, TX 76116	· · ·	
Delmar Hudson Lewis Living Trust	7013 0600 0000 9380 9679	Returned 7/16/14 -
6300 Ridglea Place		Not Deliverable as
Suite 1005 A		Addressed/Unable to Forward
Fort Worth, TX 76116		
Moore & Shelton Company, Ltd.	7013 0600 0000 9380 9686	7/21/14
P.O. Box 3070		
Galveston, TX 77552		
Ard Oil, Ltd.	7013 0600 0000 9380 9693	7/25/14
4808 Westridge Ave		
Fort Worth, TX 76116		
Zorro Partners, Ltd.	7013 0600 0000 9380 9709	7/17/14
616 Texas St.		
Fort Worth, TX 76116		
ConocoPhillips Company	7013 0600 0000 9380 9716	7/17/14
600 N. Dairy Ashford, 2WL-15058		
Houston, TX 77079		
Attn: Tom Scarbrough		
Lindy's Living Trust	7013 0600 0000 9380 7019	7/28/14
c/o Ms. Francis H. Hudson	Mailed 7/21/14 after receipt	
4200 S. Hulen, Ste 302	of correct address	
Fort Worth, TX 76109		
Delmar Hudson Lewis Living Trust	7013 0600 0000 9380 7026	7/28/14
Bank of America, N.A., Trustee	Mailed 7/21/14 after receipt	
Drawer 840738	of correct address	
Dallas, TX 75284-0738		
Attn: Ms. Deborah Coughlin		
Offset Party	USPS Article No.	Date Returned
COG Operating LLC	7013 0600 0000 9380 9723	7/17/14
600 W. Illinois Ave		
Midland, TX 79701		
ConocoPhillips Company	7013 0600 0000 9380 9730	7/17/14
600 N. Dairy Ashford, 2WL-15058		
Houston, TX 77079		
Attn: Tom Scarbrough		
Fuel Products, Inc.	7013 0600 0000 9380 9747	7/17/14
P.O. Box 3098		
Midland, TX 79702		
Pear Resources	7013 0600 0000 9380 9754	7/17/14
P.O. Box 11044		
Midland, TX 79702		
Marcus Wayne Luna	7013 0600 0000 9380 9761	7/17/14
P.O. Box 1889		
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<u>Certified Mail Receipt – COG Operating LLC Notice List (Ivar the Boneless)</u> [Mailed 7/9/14 and 7/21/14 (as noted)]

Lindy's Living Trust 6300 Ridglea Place, Suite 1005A Fort Worth, TX 76116	7013 0600 0000 9380 9778	Returned 7/16/14 – Not Deliverable as Addressed/Unable to Forward
Delmar Hudson Lewis Living Trust (T.A. dtd:9/9/02) 6300 Ridglea Place, Suite 1005 A Fort Worth, TX 76116	7013 0600 0000 9380 9785	Returned 7/21/14 – Not Deliverable as Addressed/Unable to Forward
Moore & Shelton Company, Ltd. P.O. Box 3070 Galveston, TX 77552	7013 0600 0000 9380 9792	7/21/14
Ard Oil, Ltd. 4808 Westridge Ave Fort Worth, TX 76116	7013 0600 0000 9380 9808	7/17/14
Zorro Partners, Ltd. 616 Texas St. Fort Worth, TX 76116	7013 0600 0000 9380 9815	7/17/14
Occidental Permian Limited Partnership 5 Greenway Plaza, Suite 110 Houston, TX 77046	7013 0600 0000 9380 9822	7/21/14
Legacy Reserves 303 West Wall, Suite 1800 Midland, TX 79702	7013 0600 0000 9380 9839	7/17/14
Lindy's Living Trust c/o Ms. Francis H. Hudson 4200 S. Hulen, Ste 302 Fort Worth, TX 76109	7013 0600 0000 9380 7033 Mailed 7/21/14 after receipt of correct address	7/28/14
Delmar Hudson Lewis Living Trust Bank of America, N.A., Trustee Drawer 840738 Dallas, TX 75284-0738 Attn: Ms. Deborah Coughlin	7013 0600 0000 9380 7040 Mailed 7/21/14 after receipt of correct address	7/28/14

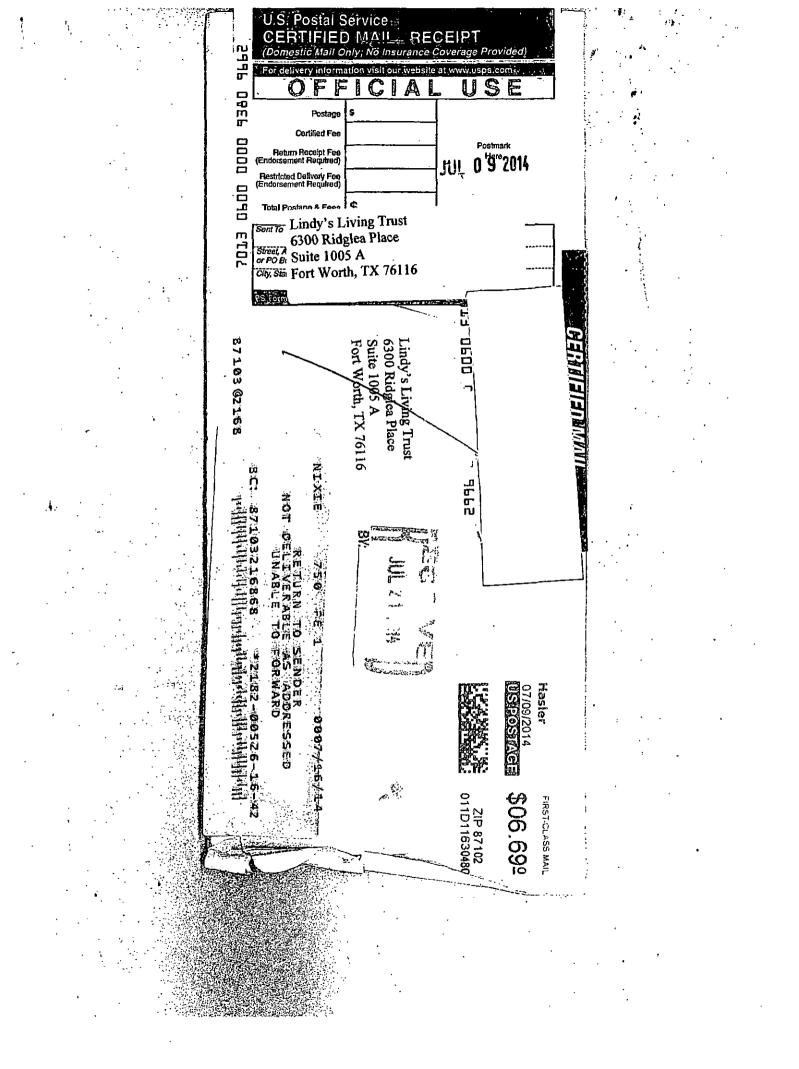
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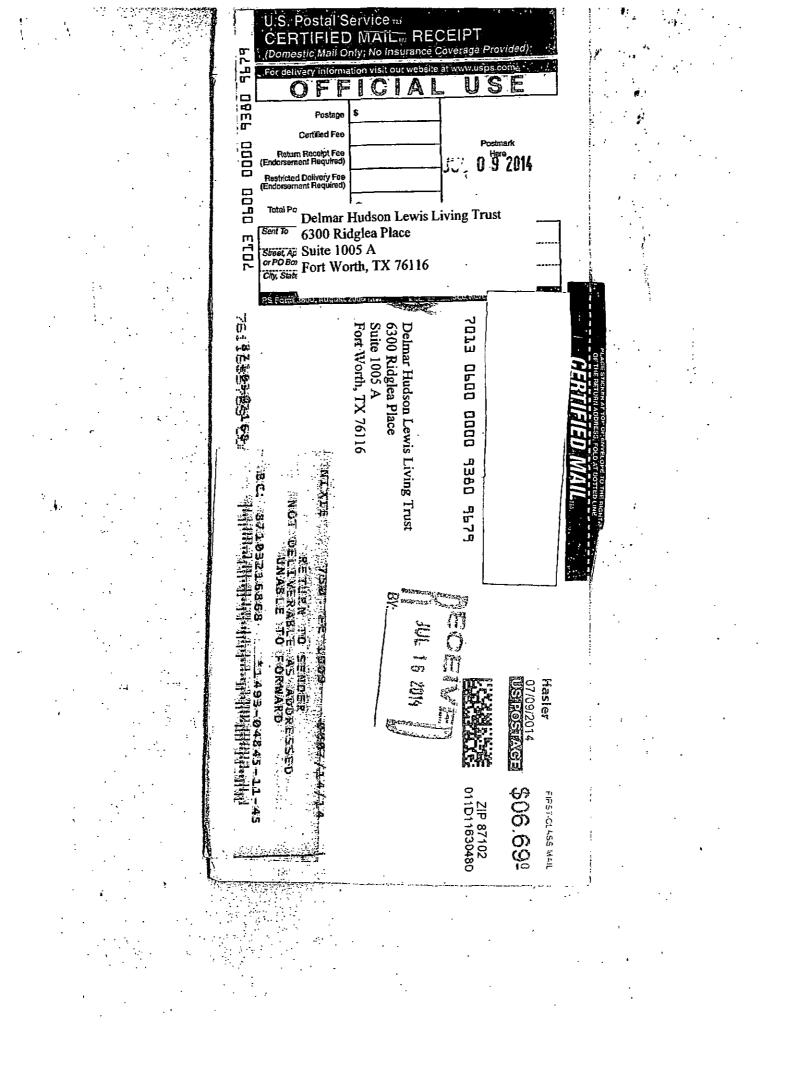
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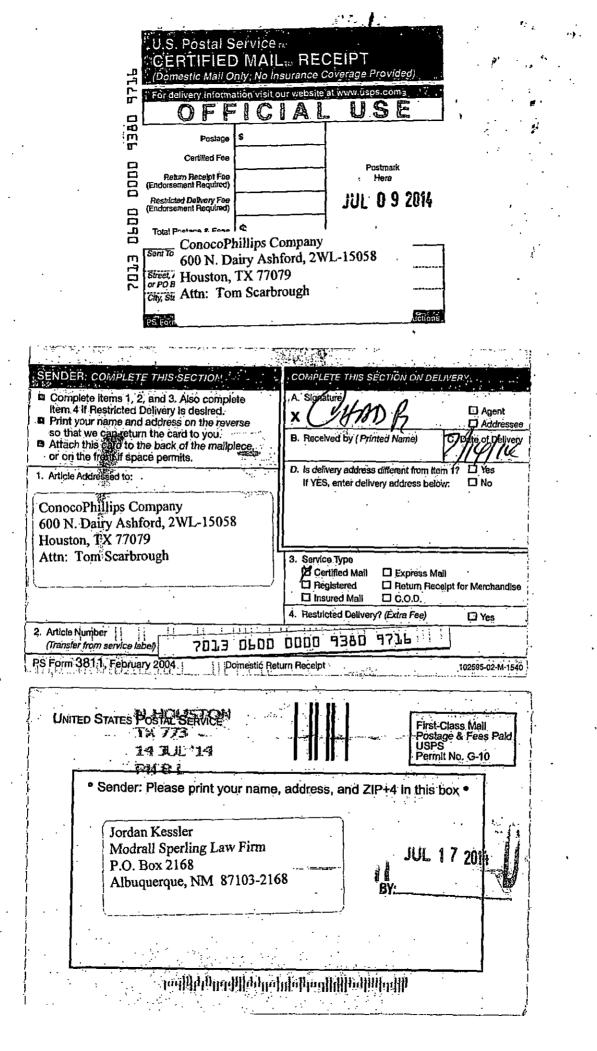




17. S. Postal Service m CERTIFIED MAIL, RECEIPT estic Mail Only; No Insurance Coverage Provided) 6 3 Eor deliver information visit our we F 1380 Postade **Certified** Fee 0000 Postmark Return Receipt Fee (Endorsement Required) Here JUL 0 9 2014 Restricted Delivery Fee (Endorsement Required) 0290 Total Pos Sent To Moore & Shelton Company, Ltd. m 701 Street, Ap P.O. Box 3070 or PO Boy Chy, State PS Form SENDER: COMPLETE THIS SECTION COMPLETE THIS SECTION ON DELIVERY Complete Items 1, 2, and 3. Also complete Item 4 If Restricted Delivery is desired. D Agent Print your name and address on the reverse Addresse so that we can return the card to you. C. Date of Delivery Attach this card to the back of the maliplece, NA or on the front if space permits. Is delivery address different from item 1? 🗖 Yee 1. 1. Article Addressed to: If YES, enter delivery address below: D No سبب الم Moore & Shelton Company, Ltd. P.O. Box 3070 Galveston, TX 77552 э. Service Type Certified Mail Express Mail D Registered Return Receipt for Merchandise D Insured Mail C.O.D. Restricted Delivery? (Extra Fee) 🗖 Yes 2. Article Number 2073, 0<u>000, 0000 1</u>390, 369P (Transfer from se PS Form 3811; February 2004 102595-02-M-1540 Domestic Return Receipt **UNITED STATES POSTAL SERVICE** First-Class Mail Postage & Fees Paid USPS Permit No. G-10 Sender: Please print your name, address, and ZIP+4 in this box Jordan Kessler Modrall Sperling Law Firm P.O. Box 2168 Albuquerque, NM 87103-2168 JUL 2 1 2014 BY իներիրիներիներիներիներիներիներ

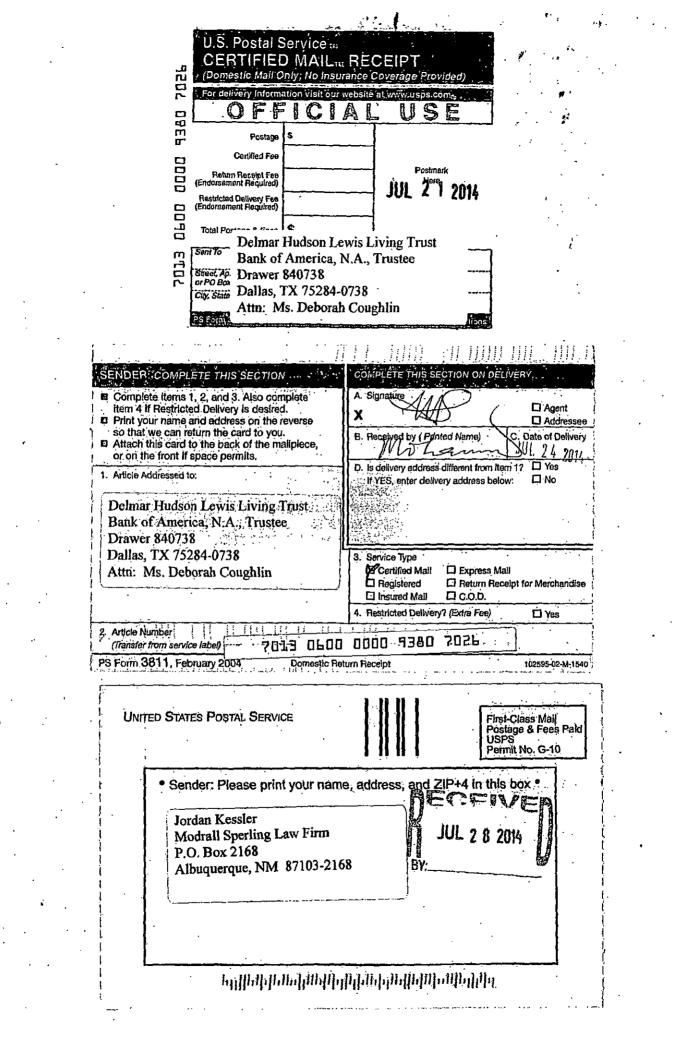
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			(Endorsement Required)
			Total Poston & Force &
			4808 Westridge Ave Street A: or POBa Fort Worth, TX 76116
			City, State
			PS Form
			SENDER COMPLETE THIS SECTION
			Complete Items 1, 2, and 3. Also complete A. Signature A. Signature
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			Attach this card to the back of the maliplece, or on the front if space permits. D. Is delivery address different from Item 1? Yes
			1. Article Addressed to: If YES, enter delivery address below:
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			Fort Worth, TX 76116
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S. Postal Service ... CERTIFIED MAIL RECEIPT æ y; No Insurance Coverage Provided) 5 For delivery O 9 **G**..... 9380 Postace Certified Fee Postmark Return Receipt Fee (Endorsement Required) Here Restricted Delivery Fee (Endorsement Regulard) JUL 0 9 2014 0900 Tota Zorro Partners, Ltd. Sent To m 616 Texas St. 707 Sin Fort Worth, TX 76116 or PO I City, Si PS Fo COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. A. Signature Agent Х Addressee Print your name and address on the reverse so that we can return the card to you. C. Date of Delivery Received by (Printed Name) в Attach this card to the back of the malipiece, AUL 1 4 2014 Ibir Ez (Si or on the front if space permits. D. Is delivery address different from item 17 D Yes 1. Article Addressed to: D No If YES, enter delivery address below: Zorro Partners, Ltd. 616 Texas St. Fort Worth, TX 76116 3. Service Type Certified Mall Express Mail Return Receipt for Merchandise CI Registered CI Insured Mall C.O.D. 4. Restricted Delivery? (Extra Fee) :::-🖾 Yesi 2. Article Number 7013 0600 0000 9380 9709 (Transfer from service label) PS Form 3811, February 2004 **Domestic Return Receipt** 102595-02-M-1540 UNITED STATES POSTAL SERVICE First-Class Mail Postage & Fees Paid USPS Permit No. G-10 Sender: Please print your name, address, and ZIP+4 in this box Jordan Kessler Modrall Sperling Law Firm P.O. Box 2168 Albuquerque, NM 87103-2168 B١ ինորիկերինություներություններ



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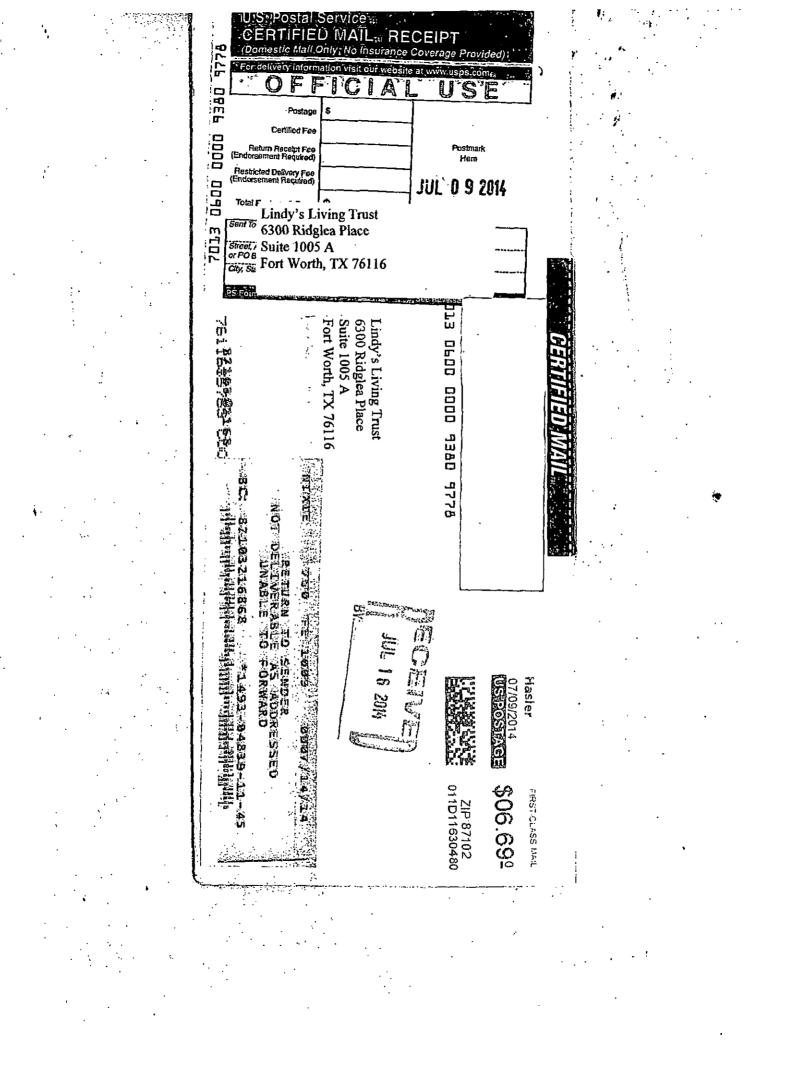
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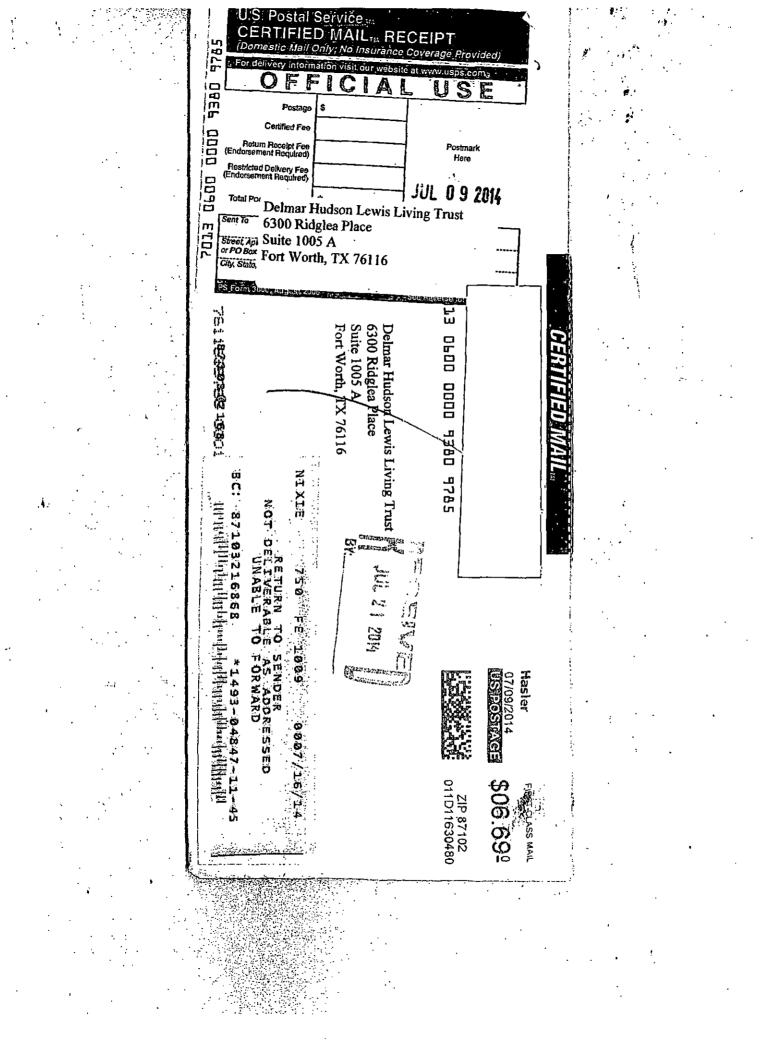
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