

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

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

**CASE NO. 15762**

**PRE-HEARING STATMENT**

Respondent New Mexico Ten, LLLP ("New Mexico Ten") submits its Pre-Hearing Statement as follows:

**STATEMENT OF THE CASE**

COG Operating, LLC ("COG") has brought this action to obtain approval for a non-standard spacing and proration unit, and to compulsory pool non-participating working interest owners, regarding a 240-acre, more or less, spacing and proration unit, for its Coonskin Fee No. 28H Well, comprised of the W/2W/2 of Section 28 and the W/2NW/4 of Section 33, Township 24 South, Range 35 East, NMPM, Lea County, New Mexico and all uncommitted interests in the WC-025 G-09 S243532M Wolfbone Pool. Respondent, New Mexico Ten, is an affected working interest owner. Respondent has not elected to participate, but is currently engaged in negotiations to lease its interests which are subject to this action (and other closely-related interests) and it would be inappropriate to compulsory pool these interests during these negotiations and without notice to the potential lessee. Additionally, Respondent believes that the lease offer made by COG was not fair, adequate or reasonable under New Mexico law and that COG's burden has not been met as required to compulsory pool.

## **APPEARANCES**

### **RESPONDENT**

New Mexico Ten, LLLP  
P.O. Box 305  
Cedar Hill, TX 75104

### **RESPONDENT'S ATTORNEY**

Scott S. Morgan  
Stephen D. Ingram  
Cavin & Ingram, P.A.  
P. O. Box 1216  
Albuquerque, New Mexico 87103-1216  
Telephone: (505) 243-5400  
Facsimile: (505) 243-1700

## **RESPONDENT'S PROPOSED EVIDENCE**

### **WITNESS**

### **ESTIMATED TIME**

### **EXHIBITS**

Dean Moor

10 minutes

Approx. 2 -5

## **PROCEDURAL MATTERS**

None at this time.


## **RESPONDENT'S POSITION ON RELIEF SOUGHT**

Respondent opposes the issuance of the compulsory pooling relief sought by COG until such time as it has had adequate opportunity to complete its current negotiations regarding the

leasing of its interests made subject to this action and/or at such time as COG makes a fair, adequate and reasonable offer pursuant to New Mexico law.

RESPECTFULLY SUBMITTED,

CAVIN & INGRAM, P.A.

By:   
Scott S. Morgan  
Stephen D. Ingram  
P. O. Box 1216  
Albuquerque, NM 87103  
(505) 243-5400  
[sding1216@aol.com](mailto:sding1216@aol.com)

ATTORNEYS FOR RESPONDENT  
NEW MEXICO TEN, LLLP

I hereby certify that a true and correct copy of the foregoing was served via email and U.S. mail on July 26, 2017 to the following:

Michael H. Feldewert  
Jordan L. Kessler  
Holland & Hart, LLLP  
P.O. Box 2208  
Santa Fe, NM 87504  
[mfeldewert@hollandhart.com](mailto:mfeldewert@hollandhart.com)  
[jlkessler@hollandhart.com](mailto:jlkessler@hollandhart.com)

CAVIN & INGRAM, P.A.

By:   
Scott S. Morgan