

**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,  
EDDY COUNTY, NEW MEXICO.**

MAY 02 2018 PM12:48

**CASE NO. 16117**

**MARATHON'S PRE-HEARING STATEMENT**

Marathon Oil Permian LLC ("Marathon") submits this Pre-Hearing Statement for the above-referenced case pursuant to the rules of the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

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

**ATTORNEY**

Adam Rankin  
Michael Feldewert  
Holland & Hart  
P.O. Box 2208  
Santa Fe, New Mexico 87504-2208  
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**OPPONENT**

Marathon Oil Permian LLC  
5555 San Felipe St.  
Houston, TX 77056

**ATTORNEY**

Earl E. DeBrine, Jr.  
Jennifer L. Bradfute  
MODRALL, SPERLING, ROEHL,  
HARRIS & SISK, P.A.  
P. O. Box 2168  
Albuquerque, New Mexico 87103-2168  
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## STATEMENT OF CASE

### OPPONENT:

Applicant in the above-styled cause seeks an order from the Division (1) creating a 640-acre, more or less, spacing and proration unit comprised of the W/2 of Section 5 and the W/2 of Section 8, Township 26 South, Range 29 East, NMPM, Eddy County, New Mexico; and (2) pooling all uncommitted interests in the Wolfcamp formation for the **Hambone Federal Com 25H Well**.

Marathon had previously filed applications with the Division in Case Nos. 16050 and 16051 involving this acreage. In Case No. 16050, Marathon seeks an order: (1) creating a non-standard 160-acre, more or less, spacing and proration unit in the Bone Spring formation, comprised of the S/2 S/2 of Section 5, Township 26 South, Range 29 East, NMPM, Eddy County, New Mexico; and, (2) pooling all mineral interests in the Bone Spring formation underlying this proposed non-standard spacing and proration unit. Marathon plans to drill and complete the **Hambone Federal 26-29-5 TB 2H** and **Hambone Federal 26-29-5 SB 6H** wells within this spacing and proration unit. In Case No. 16051, Marathon also seeks an order pooling all mineral interests in the Wolfcamp formation underlying the standard 320-acre, more or less, spacing and proration unit comprised of the S/2 of Section 5, Township 26 South, Range 29 East, NMPM, Eddy County, New Mexico. Marathon plans to drill and complete the **Hambone Federal 26-29-5 WB 3H** and **Hambone Federal 26-29-5 WD 4H** wells within the spacing and proration unit underlying this acreage to a depth sufficient to test the Wolfcamp formation.

Marathon objects to the development plans proposed by COG because such plans will impair Marathon's correlative rights, cause waste, and strand reserves underlying the proposed spacing and proration units.

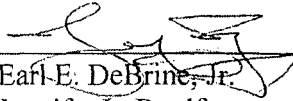
## PROPOSED EVIDENCE

### APPLICANT:

<u>WITNESS</u>	<u>ESTIMATED TIME</u>	<u>EXHIBITS</u>
Chase Rice – Landman	Approx. 30	Approx. 8
Tucker Keren – Geologist	Approx. 30	Approx. 6
Mikhail Alekseenko – Engineer	Approx. 30	Approx. 6

Respectfully submitted,


**MODRALL, SPERLING, ROEHL, HARRIS  
& SISK, P.A.**

By:   
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served  
on counsel of record by electronic mail on May 2, 2018:

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