

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:

CASE NOS: 20979, 20980, 20981

APPLICATION OF COG OPERATING LLC
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

JANUARY 09, 2020

SANTA FE, NEW MEXICO

This matter came on for hearing before the New Mexico Oil Conservation Division, HEARING EXAMINER DYLAN COSS and LEGAL EXAMINER ERIC AMES, on Thursday, January 09, 2020, at the New Mexico Energy, Minerals, and Natural Resources Department, Wendell Chino Building, 1220 South St. Francis Drive, Porter Hall, Room 102, Santa Fe, New Mexico.

Reported by: Irene Delgado, NMCCR 253
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1 A P P E A R A N C E S

2 For the Applicant:

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6 For EOG Resources, Inc.:

7 LANCE HOUGH
 MODRALL SPERLING ROEHL HARRIS & SISK PA
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10 I N D E X

11	CASE NO. 20979, 20980, 20981 CALLED	03
12	SUMMARY OF CASES AND EXHIBITS	03
13	TAKEN UNDER ADVISEMENT	06
14	REPORTER CERTIFICATE	07

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16 E X H I B I T I N D E X

17		Admitted
18	Exhibits 1, 2 and 3, All Attachments	05

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1 HEARING EXAMINER COSS: Okay. Moving along, the
2 Division would like to call 20979. Call for appearances.

3 MS. MUNDS-DRY: Good morning, Mr. Examiner, my
4 name is Ocean Munds-Dry. I'm senior counsel at COG
5 Operating LLC. And because it's been a while, I'm going to
6 give the court reporter my card. We intend to present this
7 case by affidavit.

8 HEARING EXAMINER COSS: And there is additional
9 appearances?

10 MR. HOUGH: Yes. Lance Hough from the Modrall
11 Sperling Law Firm on behalf of EOG Resources, Inc.

12 MS. MUNDS-DRY: Mr. Hearing Examiner, we ask also
13 that you call Case 20980 and 20981. We would ask that these
14 cases be consolidated for purposes of hearing.

15 HEARING EXAMINER COSS: Do you have any
16 objections to these cases being presented by affidavit --
17 oh, are you entering your appearance in all cases?

18 MR. HOUGH: I would like for my entry of
19 appearance to apply to all three cases on behalf of EOG
20 Resources.

21 HEARING EXAMINER COSS: Okay. And do you object
22 to the cases being presented by affidavit?

23 MR. HOUGH: No objection.

24 HEARING EXAMINER COSS: Okay. And so for
25 presenting by affidavit, I'm going to make sure that

1 everything is in order to do so. And so was notice of
2 publication required for unlocatable parties in this case?

3 MS. MUNDS-DRY: Mr. Examiner, notice of
4 publication was not required, but out of abundance of
5 caution we did publish notice.

6 HEARING EXAMINER COSS: It was done so timely?

7 MS. MUNDS-DRY: Done so timely.

8 HEARING EXAMINER COSS: And THERE is an affidavit
9 of the publication included in the packet?

10 MS. MUNDS-DRY: There is. You will see in
11 Exhibit Number 3 there is a notice packet, including my
12 affidavit of the notice and evidence of the publication.

13 HEARING EXAMINER COSS: Wonderful. Thank you.
14 And I happened to open up to Tab 3, which is the compulsory
15 pooling checklist.

16 MS. MUNDS-DRY: Yeah, Mr. Examiner, we're gonna
17 feel this out, and we'll get this right for you, but the tab
18 numbers don't -- they correspond to the table of contents
19 and not the exhibit numbers, so I apologize if that's
20 confusing. We will get this straightened out for you the
21 way you would like it as we go along. I promise.

22 HEARING EXAMINER COSS: This, so far so good, as
23 long as everything is in here and the checklist is included,
24 we can continue to hear this by affidavit. And you have
25 included tabs and the table of contents.

1 MS. MUNDS-DRY: It's all in there, we just may
2 need to perfect the process a little bit, Mr. Examiner.

3 HEARING EXAMINER COSS. Perfect. You may proceed
4 to submit this case by affidavit.

5 MS. MUNDS-DRY: Thank you. You will see the
6 table of contents after the cover page and the corresponding
7 checklist for each of the cases seeking to pool in Eddy
8 County for three wells.

9 Also included are affidavits from a landman and a
10 geologist. And as I mentioned earlier, our notice packet
11 included my affidavits of notice.

12 And unless you have any questions, we would ask
13 that these, these applications be, and the exhibits, the
14 attachments and notice packet be admitted into evidence.

15 HEARING EXAMINER COSS: They are so admitted.
16 The exhibits will be so admitted.

17 (Exhibits 1, 2 and 3 admitted.)

18 MS. MUNDS-DRY: Unless you have any questions, we
19 would ask that these three cases be taken under advisement.

20 HEARING EXAMINER COSS: Currently I do not have
21 any questions. I will reach out if I do, but seeing as how
22 I don't at the moment, the Division will take --

23 MR. HOUGH: Mr. Examiner, I just wanted to add to
24 the record that the parties have reached an agreement for
25 EOG to have a 90-day period to select.

1 HEARING EXAMINER COSS: Wonderful. Thanks for
2 that, and there is no --

3 MR. HOUGH: No, Mr. Examiner.

4 HEARING EXAMINER COSS: So Case Numbers 20979,
5 20980 and 20981 will be taken under advisement.

6 (Cases 20979, 20980 and 20981 taken under
7 advisement.)

8 MS. MUNDS-DRY: Thank you, Mr. Examiner. If you
9 do have feedback about how we can do the packet better,
10 please let us know. It's a work in progress.

11 HEARING EXAMINER COSS: I will do so.

12 (Adjourned.)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

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4 REPORTER'S CERTIFICATE

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6 I, IRENE DELGADO, New Mexico Certified Court
7 Reporter, CCR 253, do hereby certify that I reported the
8 foregoing proceedings in stenographic shorthand and that the
9 foregoing pages are a true and correct transcript of those
10 proceedings that were reduced to printed form by me to the
11 best of my ability.

12 I FURTHER CERTIFY that the Reporter's Record of
13 the proceedings truly and accurately reflects the exhibits,
14 if any, offered by the respective parties.

15 I FURTHER CERTIFY that I am neither employed by
16 nor related to any of the parties or attorneys in this case
17 and that I have no interest in the final disposition of this
18 case.

19 Dated this 9th day of January 2020.

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Irene Delgado, NMCCR 253
License Expires: 12-31-20

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