

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: 21030

APPLICATION OF MARATHON OIL PERMIAN LLC
FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

FEBRUARY 6, 2020

SANTA FE, NEW MEXICO

This matter came on for hearing before the New Mexico Oil Conservation Division, EXAMINERS FELICIA ORTH and DYLAN COSS on Thursday, February 6, 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
PAUL BACA PROFESSIONAL COURT REPORTERS
500 Fourth Street, NW, Suite 105
Albuquerque, NM 87102
505-843-9241

A P P E A R A N C E S

For the Applicant:

DEANA BENNETT
MODRALL SPERLING ROEHL HARRIS & SISK PA
500 4th Street, NW, Suite 1000
Albuquerque, NM 87102
505-848-9710
deana.bennett@modrall.com

For EOG Resources, Inc.

MICHAEL FELDEWERT
HOLLAND & HART
110 North Guadalupe, Suite 1
Santa Fe, NM 87501
505-954-7286

I N D E X

CASE CALLED	03
SUMMARY OF CASE AND EXHIBITS	03
TAKEN UNDER ADVISEMENT	05
REPORTER CERTIFICATE	06

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

	Admitted
EOG Resources Exhibit 1	06
Applicant's Exhibits and Attachments	06

1 HEARING EXAMINER ORTH: Next is 21030. This is
2 Marathon Oil.

3 MS. BENNETT: Good morning. Deana Bennett on
4 behalf of Marathon Oil Permian LLC.

5 HEARING EXAMINER ORTH: Do we have another
6 appearance.

7 MR. FELDEWERT: Yes, we do let me catch up.
8 Which case is this?

9 MS. BENNETT: 21030, Rick Vaughan.

10 MR. FELDEWERT: Michael Feldewert of the Santa Fe
11 Office of Holland & Hart appearing on behalf of EOG
12 Resources Inc.

13 MS. BENNETT: Marathon intends to submit this
14 case by affidavit, and I have conferred with counsel for
15 EOG, and they don't object to the case.

16 HEARING EXAMINER ORTH: Thank you for conferring
17 with counsel and being explicit about that.

18 MS. BENNETT: You're welcome.

19 HEARING EXAMINER ORTH: Thank you very much.

20 MS. BENNETT: The packet I have handed out to you
21 all has the affidavit of the landman. It has the affidavit
22 of the geologist, and they both previously testified before
23 the Division.

24 Right after the table of contents is the pooling
25 application checklist that I have signed and that certifies

1 that all the materials are in the packet.

2 And my affidavit of notice is behind Tab 6, and I
3 have included both our mailing letters, our mailing lists,
4 and the affidavit of publication, and I state in my
5 affidavit that the affidavit of publication is in my
6 materials and was timely published.

7 And I have a table contents, double-sided, so I
8 think everything is in order with my materials for Case
9 Number 21030. Unless there are any questions, I would ask
10 that the case be taken under advisement.

11 EXAMINER COSS: I don't have any questions.

12 HEARING EXAMINER ORTH: Thank you very much. Mr.
13 Feldewert?

14 MR. FELDEWERT: Yes. I have one quick exhibit.
15 I have marked as EOG Exhibit Number 1, Page 4 of Division
16 Order R-20967, okay, which I'm going to ask be placed into
17 the record.

18 HEARING EXAMINER ORTH: All right.

19 MR. FELDEWERT: This is the election language
20 that the parties had agreed to for purposes of the pooling
21 order that would be issued in this case.

22 HEARING EXAMINER ORTH: Ms. Bennett, do you have
23 any questions about Exhibit 1?

24 MS. BENNETT: No, I don't. The parties have
25 agreed that EOG Resources Inc. shall have 90 days from the

1 date of scheduled of estimated well cost to the elect and
2 pay its share of estimated well costs, so that highlighted
3 language does reflect the parties agreement in this
4 particular case.

5 HEARING EXAMINER ORTH: Any questions?

6 EXAMINER COSS: At this time I do not have any
7 questions. Reserve the right to reach out and e-mail you.

8 HEARING EXAMINER ORTH: Thank you, Mr. Feldewert
9 and Ms. Bennett. Exhibit 1 and the applicant's packet will
10 be accepted and the matter taken under advisement.

11 (Exhibits admitted.)

12 (Case taken under advisement.)

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW MEXICO)
)SS
2 COUNTY OF SANTA FE)

3 I, IRENE DELGADO, certify that I reported the
4 proceedings in the above-transcribed pages, that pages
5 numbered 1 through 5 are a true and correct transcript of my
6 stenographic notes and were reduced to typewritten
7 transcript through Computer-Aided Transcription, and that on
8 the date I reported these proceedings I was a New Mexico
9 Certified Court Reporter.

10 Dated at Santa Fe, New Mexico, this 6th day of
11 February 2020.

12

13

14

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

15

16

17

18

19

20

21

22

23

24

25