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

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

Case Nos. 24015 and 24095

VIDEOCONFERENCE HEARING

DATE: Tuesday, March 5, 2024
TIME: 9:08 a.m.
BEFORE: Hearing Examiner Gregory A. Chakalian
LOCATION: Remote Proceeding
Santa Fe, New Mexico 87505
REPORTED BY: James Cogswell, Digital Reporter
JOB NO.: 6451807

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A P P E A R A N C E S

ON BEHALF OF MEWBOURNE OIL COMPANY:

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ALSO PRESENT:

John Garcia, Technical Examiner (by
videoconference)
Sheila Apodaca, Law Clerk (by videoconference)

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I N D E X		
E X H I B I T S		
NO.	DESCRIPTION	ID/EVD
Case 24015:		
Mewbourne:		
Exhibit A	Compulsory Pooling	
	Application Checklist	14/15
Exhibit B	Application for	
	Compulsory Pooling	14/15
Exhibit C	Self-Affirmed Statement of	
	Tyler Jolly, Landman, and	
	Sub-Parts	14/15
Exhibit D	Self-Affirmed Statement of	
	Justin Roeder, Geologist,	
	and Sub-Parts	14/15
Exhibit E	Self-Affirmed Statement of	
	Notice	14/15
Exhibit F	Affidavit of Publication	
	for the Case	14/15
Exhibit G	Supplemental Overlap Notice	11/15
NO.	DESCRIPTION	ID/EVD
Case 24095:		
Chevron:		
Exhibit G	Supplemental Overlap Notice	5/9

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P R O C E E D I N G S

THE HEARING EXAMINER: Mr. Cogswell, we are going on the record.

THE REPORTER: Thank you. I'm recording.

THE HEARING EXAMINER: These are two hearings that we are having a special hearing for. Case number is 24095 and 24015. We continued these from another date. We left the hearing record open to receive additional evidence. May I have an entry of appearance in 24095?

MS. VANCE: Yes. Good morning, Mr. Hearing Examiner. Paula Vance on behalf of the applicant, Chevron, with the -- and Paula Vance, with the Sante Fe office of Holland and Hart.

THE HEARING EXAMINER: And do we have any other parties in this case, Ms. Vance?

MS. VANCE: No.

THE HEARING EXAMINER: Okay. And why did we leave their record open in this case?

MS. VANCE: We left the record open in -- just to give a little background, there is a death severance in this case, and there was an overlap. There was an existing spacing unit, so there is an overlap. We did not include the request for

1 approval in the application itself, but realizing that
2 there was an existing spacing unit, we asked the
3 Division to continue the case so that we could go
4 ahead and perfect that overlapping spacing unit
5 notice.

6 And so what we did is, per the
7 Division's requirements, we re-filed the full
8 application, but we included a cover page. I did
9 update the table of contents and included a Chevron
10 Supplemental Exhibit G. And so if you go to page 60
11 of the hearing packet, you will see that there is a
12 diagram depicting the existing spacing unit along with
13 the proposed spacing unit.

14 (Chevron Supplemental Exhibit G was
15 marked for identification.)

16 And that is followed by a copy of the
17 overlapping notice that went out to each of the
18 parties, and that was from Landman Doug Crawford, who
19 is on the line today. And you will see that there is
20 a copy of each of the letters that went out. And
21 then, at the very bottom, there is a mailing report
22 showing the tracking information to these parties.
23 And specifically, we wanted to make sure that we
24 covered the notice to both the BLM and the State Land
25 Office.

1 THE HEARING EXAMINER: Okay. So, Ms.
2 Vance, my notes show that we have not admitted any
3 exhibits into evidence at this point. Do you concur?

4 MS. VANCE: I thought that I had
5 presented, but I could be wrong. I don't have my
6 notes right in front of me, and I'm happy to go
7 through all of the exhibits.

8 THE HEARING EXAMINER: Okay. Let me go
9 to the transcript. I believe I'm right. That's what
10 my notes say, but I could be wrong. So hold on a
11 second. Let me go through this here. I'm looking
12 through the transcript which is posted in the imaging
13 system. My notes are incorrect. I do show
14 that -- let me make sure I'm on the right case here.

15 So, Ms. Vance, I have a request to
16 admit Exhibits A, B, C, D, and E, and their subparts,
17 into evidence. There was no objection. They are
18 admitted into evidence. So yes, A through F were
19 admitted into evidence, and now we just have Exhibit
20 G. We had a Supplemental Exhibit G. But I also
21 admitted Exhibit G into evidence. So, Ms. Vance, did
22 you -- so are you saying you modified Exhibit G for
23 this latest filing?

24 MS. VANCE: Yes. I believe so.
25 We -- so prior -- I think prior to the actual hearing,

1 I went ahead and filed this before we actually did the
2 hearing, trying to get it on the record before we
3 actually -- before I actually presented. But per -- I
4 think that we discussed that you wanted to have
5 everything consolidated into one hearing packet, so I
6 went ahead and did that. And now that we have
7 perfected notice and we have not received any
8 objections, I just wanted to make sure that everything
9 was in one hearing packet. And then, obviously, here
10 to perfect that notice.

11 THE HEARING EXAMINER: Let me just
12 finish my reading through this transcript over here.

13 MS. VANCE: Absolutely.

14 THE HEARING EXAMINER: So, Ms. Vance, I
15 show that it was -- that you were perfecting notice to
16 the State Land Office and not necessarily BLM. Is
17 that right?

18 MS. VANCE: Let me check one thing
19 here. I may have only said State Land Office, but we
20 did need to perfect notice to the BLM as well. If you
21 go to Exhibit C-2, which is page 19, you'll see that
22 it outlines the state land leases that are involved.
23 And then there's also a federal lease involved.

24 THE HEARING EXAMINER: Okay. Because
25 I -- on page 129 of the verbatim transcript from the

1 hearing -- the previous hearing -- and I'm glad you
2 clarified because I said, "On March 5th at 9 p.m. to
3 perfect notice to the BLM and the State Land Office
4 both?" And you said, "Just the State Land Office."
5 And then I said, "State Land Office?" And then you
6 said, "Because the existing spacing unit is on state
7 lands." So --

8 MS. VANCE: That was my mistake.

9 THE HEARING EXAMINER: Okay.

10 MS. VANCE: That -- that's my mistake.

11 So --

12 THE HEARING EXAMINER: Fine. Okay. So
13 then, you have perfected notice to both the BLM and
14 the State Land Office. Is that correct?

15 MS. VANCE: That's correct. So -- and
16 just --

17 THE HEARING EXAMINER: All right.

18 MS. VANCE: Just to clarify, the
19 existing spacing unit is actually only on state lands,
20 but the requirement is that you provide notice to the
21 affected parties both for the existing and the
22 proposed spacing unit. And the proposed spacing unit
23 does also include federal lands. So --

24 THE HEARING EXAMINER: Okay. So then,
25 are you now seeking to enter -- or re-enter the

1 modified Exhibit G into evidence?

2 MS. VANCE: The Supplemental Exhibit G.
3 That's correct. Yes, Mr. Hearing Examiner.

4 THE HEARING EXAMINER: Okay. And are
5 there any objections?

6 Not hearing any, Supplemental Exhibit G
7 is also entered into evidence.

8 (Chevron Supplemental Exhibit G was
9 received into evidence.)

10 And you have made it part of a 69-page
11 PDF, which includes all of your evidence?

12 MS. VANCE: That's correct.

13 THE HEARING EXAMINER: All right.
14 Perfect.

15 All right. Mr. Garcia, any questions?

16 MR. GARCIA: No questions.

17 THE HEARING EXAMINER: Okay. Very
18 good.

19 This case, Ms. Vance, is taken under
20 advisement by the Division.

21 MS. VANCE: Thank you, Mr. Hearing
22 Examiner.

23 THE HEARING EXAMINER: Okay. Let's go
24 to the other case that's on our special docket today,
25 and that is 24015. Entry of appearance, please?

1 MS. VANCE: Good morning, Mr. Hearing
2 Examiner. Paula Vance, for the Sante Fe office of
3 Holland and Hart, on behalf of the applicant,
4 Mewbourne Oil Company.

5 THE HEARING EXAMINER: I believe
6 there's two other parties in this case?

7 MS. VANCE: Yes. But it does not
8 appear they are here. And I'm going to go to -- I
9 believe it was Permian and Colgate, which collectively
10 are Permian now, and then EOG Resources.

11 THE HEARING EXAMINER: Right. So we
12 don't have Ms. Shaheen, and we don't have Ms. Kessler?

13 MS. VANCE: Correct.

14 THE HEARING EXAMINER: Okay. And they
15 were noticed of this special hearing, Ms. Vance?

16 MS. VANCE: As far as I know. I
17 believe they were on Ms. Apodaca's email with the
18 information for this special hearing.

19 THE HEARING EXAMINER: Okay.

20 And, Ms. Apodaca, is that correct?

21 MS. APODACA: That is correct. And I
22 emailed the docket to the general broadcast email that
23 we usually send notices to.

24 THE HEARING EXAMINER: Okay. And Ms.
25 Kessler and Ms. Shaheen are on that general email?

1 MS. APODACA: Yes.

2 THE HEARING EXAMINER: Okay. So, Ms.
3 Vance, why did we -- why are we back here today on
4 this case?

5 MS. VANCE: So on this one, again, we
6 needed to perfect notice for the overlap. And I have
7 included a -- as a part of a revised full-hearing
8 packet, I have a cover page that explains what the
9 supplemental exhibit is. And then I've updated the
10 table of contents to include that Mewbourne
11 Supplemental Exhibit G. And if you go to page 59 of
12 the revised hearing packet, this is the -- it's a copy
13 of the letter that was sent out. And specifically, we
14 needed to provide notice -- perfect overlapping notice
15 to the BLM and State Land Office.

16 (Mewbourne Supplemental Exhibit G was
17 marked for identification.)

18 THE HEARING EXAMINER: Okay.

19 MS. VANCE: And following that letter,
20 you will find on page 60, which is the last page, a
21 copy of the mailing report showing the tracking
22 information for the letter notice that went out. And
23 just to clarify, because I didn't want to add a
24 duplicate copy of the application, the letter notice
25 also included a copy of the application.

1 THE HEARING EXAMINER: Okay. First,
2 I'm going to review the transcript. Once again, is it
3 the BLM and the State Land Office?

4 MS. VANCE: That's correct.

5 THE HEARING EXAMINER: It's both
6 parties. Okay. So it's the same issue as from the
7 other case?

8 MS. VANCE: Yes.

9 THE HEARING EXAMINER: Okay. Give me
10 one moment to get to your filing. I have a filing
11 here dated a couple of days ago. And what page are
12 you directing me to in this 60-page PDF?

13 MS. VANCE: If you would go to page 59.

14 THE HEARING EXAMINER: Okay.

15 MS. VANCE: It's the last two pages, is
16 the Supplemental Exhibit G.

17 THE HEARING EXAMINER: And this letter
18 here is for notice to which party or both parties?

19 MS. VANCE: It's both parties.

20 THE HEARING EXAMINER: Both parties.

21 MS. VANCE: It's just a sample copy of
22 the letter that we sent out. And then, just to -- so
23 you know and it's on the record, accompanying this
24 letter was a copy of the application to put the BLM
25 and the State Land Office.

1 THE HEARING EXAMINER: And this was
2 dated February 2nd with enough time?

3 MS. VANCE: Yes.

4 THE HEARING EXAMINER: Okay. Are you
5 asking to admit something into evidence at this point?

6 MS. VANCE: Yes. I would ask that the
7 Division accept the Supplemental Exhibit G as a part
8 of the record.

9 THE HEARING EXAMINER: Okay. And did
10 we already -- I did not check the verbatim transcript
11 to see whether we admitted the exhibits in this case
12 into evidence.

13 MS. VANCE: I believe that we already
14 did. I -- just as a standard practice, I always try
15 to ask to present and then just leave the record open,
16 just so we can have the one exhibit added to
17 streamline things.

18 THE HEARING EXAMINER: Well, since I
19 don't have notes on it, and I don't want to waste time
20 going back to the verbatim transcript to see if I
21 admitted Exhibits A through F, let's do it again. So
22 why don't we start with asking me to enter into
23 evidence these exhibits, all of them?

24 MS. VANCE: Okay. Do you want me to do
25 a general overview of them real quick or just --

1 THE HEARING EXAMINER: No. Not unless
2 Mr. Garcia wants an overview.

3 Mr. Garcia?

4 MR. GARCIA: No, thank you.

5 THE HEARING EXAMINER: Just make the
6 request, Ms. Vance.

7 MS. VANCE: Okay. No problem. I would
8 ask that the Division take all exhibits and
9 sub-exhibits and admit them into the record.

10 (Mewbourne Exhibit A through Mewbourne
11 Exhibit F were previously marked for
12 identification.)

13 THE HEARING EXAMINER: Okay. And
14 this -- these two experts, Tyler Jolly and Justin
15 Roeder, are you saying that they have -- are you
16 representing to me that both have been accepted as
17 experts in their fields and have testified before the
18 Division previously?

19 MS. VANCE: That's correct.

20 THE HEARING EXAMINER: Okay. Very
21 good. So are there any objections to Exhibits A
22 through G? No? Exhibits, A, B, D, E, F, and G, and
23 their sub-parts, are admitted into the evidentiary
24 record in this case 24015.

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(Mewbourne Exhibit A through Mewbourne
Supplemental Exhibit G were received
into evidence.)

Mr. Garcia, do you have any questions
on this case?

MR. GARCIA: No questions.

THE HEARING EXAMINER: Very good.

Ms. Vance, this case is now taken under
advisement by the Division. Do you have any further
business on either of these cases?

MS. VANCE: No. I do not.

(Whereupon, at 10:22 a.m., the
proceeding was concluded.)

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CERTIFICATE

I, JAMES COGSWELL, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



JAMES COGSWELL
Notary Public in and for the
State of New Mexico

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CERTIFICATE OF TRANSCRIBER

I, SHARON CAMPBELL, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

March 20, 2024



SHARON CAMPBELL

[& - chakalian]

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