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STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

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

CONSIDERING:	Docket No.
Case Nos. 25220, 25221, 24849,	27-25
25330, 25433, 25447, 25453,	
25454, 25440, 25441, 25442,	
25443, 25335, 25336, 25247,	
25248, 25250, 25252, 25253,	
25254, 25228, 25301, 25303	

HEARING

DATE:	Tuesday, July 29, 2025
TIME:	8:53 a.m.
BEFORE:	Hearing Examiner Gregory A. Chakalian
LOCATION:	Pecos Hall
	Wendell Chino Building
	1220 South Saint Francis Drive
	Santa Fe, NM 87505
REPORTED BY:	James Cogswell
JOB NO.:	7341938

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A P P E A R A N C E S
ON BEHALF OF FAE II OPERATING, LLC AND DEVON ENERGY
PRODUCTION:

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A P P E A R A N C E S (Cont'd)
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A P P E A R A N C E S (Cont'd)

ON BEHALF OF SPUR ENERGY PARTNERS LLC, ADMIRAL PERMIAN
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A P P E A R A N C E S (Cont'd)
ON BEHALF OF LONGFELLOW ENERGY LP AND PBEX OPERATIONS
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A P P E A R A N C E S (Cont'd)

ALSO PRESENT:

Gregory A. Chakalian, Hearing Examiner
Anthony Harris, Technical Examiner (by
videoconference)
Phillip Goetze, Technical Examiner (by
videoconference)
Dean McClure, Technical Examiner (by
videoconference)
Freya Tschantz, Hearings Clerk
Michael Monju, Witness
Vanessa Neal, Witness (by videoconference)
Joseph Kent, Witness (by videoconference)
Charles Hooper, Witness (by videoconference)
Hanna Rhoades, Witness (by videoconference)
Jared Hammett, Witness (by videoconference)
Hunter Hall, Witness (by videoconference)

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I N D E X

WITNESS(ES):	DX	CX	RDX	RCX
VANESSA NEAL				
By Mr. Harris		21		
JOSEPH KENT				
By Mr. Harris		21		
CHARLES HOOPER				
By Mr. Harris		21		
By Mr. Goetze		40		
MICHAEL MONJU				
By Mr. McClure		71		
HUNTER HALL				
By Mr. McClure		87		
HANNA RHOADES				
By Mr. McClure		95		
By Mr. Feldewert	104			

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E X H I B I T S

NO.	DESCRIPTION	ID/EVD
Case No. 25220		
Exhibit 1	Self-Affirmed Statement of Vanessa Neal	18/18
Exhibit 2	Self-Affirmed Statement of Charles Hooper	18/18
Exhibit 3	Self-Affirmed Statement of Dana S. Hardy	18/18
Case No. 25221		
Exhibit 4	Self-Affirmed Statement of Vanessa Neal	48/48
Exhibit 5	Self-Affirmed Statement of Charles Hooper	48/48
Exhibit 6	Self-Affirmed Statement of Dana S. Hardy	48/48
Case No. 25433		
Exhibit 7	EOG Revised Exhibit A: Compulsory Pooling Application Checklist	60/60
Exhibit 8	EOG Revised Exhibit C-4: Chronology of Contacts	60/60
Case No. 25447		
Exhibit 9	Exhibit A Self-Affirmed Statement of Colleen Bradley	62/62

1	E X H I B I T S (Cont'd)		
2	NO.	DESCRIPTION	ID/EVD
3	Exhibit 10	Exhibit B Self-Affirmed	
4		Statement of Matthew Van Wie	62/62
5	Exhibit 11	Exhibit C Self-Affirmed	
6		Statement of Jaclyn M. McLean	62/62
7	Case No. 25453		
8	Exhibit 12	Exhibit A Self-Affirmed	
9		Statement of Colleen Bradley	64/64
10	Exhibit 13	Exhibit B Self-Affirmed	
11		Statement of Matthew Van Wie	64/64
12	Exhibit 14	Exhibit C Self-Affirmed	
13		Statement of Jaclyn M. McLean	64/64
14	Case No. 25454		
15	Exhibit 15	Exhibit A Self-Affirmed	
16		Statement of Colleen Bradley	67/67
17	Exhibit 16	Exhibit B Self-Affirmed	
18		Statement of Matthew Van Wie	67/67
19	Exhibit 17	Exhibit C Self-Affirmed	
20		Statement of Jaclyn M. McLean	67/67
21	Case Nos. 25440, 25441, 25442, 25443		
22	Exhibit 18	COG Exhibit A Self-Affirmed	
23		Statement of Michael F. Monju,	
24		Landman	70/70
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E X H I B I T S (Cont'd)

NO.	DESCRIPTION	ID/EVD
Exhibit 19	COG Exhibit B Self-Affirmed Statement of Ben Breyman, Geologist	70/70
Exhibit 20	COG Exhibit C Self-Affirmed Statement of Notice	70/70
Exhibit 21	COG Exhibit D Affidavit of Publication	70/70
Case Nos. 25247, 25248, 25250, 25252, 25253, 25254		
Exhibit 22	Matador Exhibit A Self- Affirmed Statement of Hanna Rhoades, Landman	93/93
Exhibit 23	Matador Exhibit B Self- Affirmed Statement of Andrew Parker, Geologist	93/93
Exhibit 24	Matador Exhibit C Self- Affirmed Statement of Notice	93/93
Exhibit 25	Matador Exhibit D Affidavit of Publication	93/93

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P R O C E E D I N G S

THE HEARING OFFICER: Good morning. It is 8:53 a.m. on July 29, 2025. This is a special docket today of the Oil Conservation Division. We have approximately 23 cases on the docket today. We did have a trailing contested hearing docket, but they have all been resolved, to my understanding, and we don't have any contested cases at this time.

So we're going to be hearing some cases by affidavit. And our UIC Group has asked me if we could hear two cases out of order. So whoever is representing FAE, you're going to be going first. These are cases 25220 and 25221. They're docket cases 7 and 8 on the worksheet. Entries of appearance, please.

MS. HARDY: Good morning, Mr. Examiner. Dana Hardy with Hardy McClean on behalf of FAE II Operating.

THE HEARING OFFICER: Morning.

MS. VANCE: Good morning, Mr. Hearing Examiner. Paula Vance with the Santa Fe office of Holland & Hart on behalf of OXY, and we are just monitoring.

THE HEARING OFFICER: Good morning. Are those the only parties that you know of,

1 Ms. Hardy?

2 MS. HARDY: I think so.

3 ConocoPhillips?

4 MS. HATLEY: Keri Hatley on behalf of
5 ConocoPhillips, entering an appearance in this case.
6 Thank you.

7 THE HEARING OFFICER: Thank you.

8 MS. HARDY: I believe those are all the
9 parties.

10 THE HEARING OFFICER: Please proceed.

11 MS. HARDY: Thank you. In case number
12 25220, FAE seeks an order approving statutory
13 unitization of its Lamunyon Unit and also expanding
14 the vertical limits of the Teague Paddock Blinebry
15 pool to include the Teague, Glorieta Upper Paddock, SW
16 pool within the unit area. The proposed Lamunyon Unit
17 comprises approximately 3,960 acres of federal and fee
18 lands located in Township 23 South, Range 37 East in
19 Lea County.

20 The unitized interval extends from the
21 top of the Glorieta formation to the base of the
22 Blinebry. Our exhibit packet includes the self-
23 affirmed statements of Joseph Kent, the Director of
24 Land, Charles Hooper, geology, and Vanessa Neal, an
25 engineer. Each witness has previously testified

1 before the Division and been recognized as an expert
2 in their respective fields.

3 Mr. Kent provides the plats and
4 ownership interests, C-108 notice information, the BLM
5 preliminary approval letter, unit agreement, unit
6 operating agreement, and ratification agreements that
7 have been signed. Mr. Hooper provides well logs, a
8 structure map, cross sections, a water sample report,
9 a map of fresh and produced water sample locations,
10 and a pool map.

11 Ms. Neal provides a feasibility study,
12 seismicity assessment, and economic projections.
13 Exhibit D includes the affidavit of publication, and
14 notice was timely published on February 23, 2025. So
15 with that, I would ask that the exhibits be admitted
16 into the record. I don't know, Mr. Examiner, if you'd
17 like me to go ahead and present the next case as well,
18 the companion case, and then have the witnesses
19 available for questions or what?

20 THE HEARING OFFICER: Let me -- let me
21 find out from our technical examiner. Do we have
22 Mr. Harris and Mr. Goetze with us?

23 MR. HARRIS: Yes. Good morning.

24 THE HEARING OFFICER: Good morning,
25 Mr. Harris?

1 MR. HARRIS: Yes.

2 THE HEARING OFFICER: Would you state
3 and spell your name for the record, please?

4 MR. HARRIS: Yeah. My name is Tony
5 Harris, T-O-N-Y, Harris, H-A-R-R-I-S.

6 THE HEARING OFFICER: Thank you. And
7 is Mr. Goetze with you as well?

8 MR. HARRIS: He should be joining us
9 shortly I would think.

10 THE HEARING OFFICER: Okay. All right.
11 Okay. Mr. Harris, do you want these cases presented
12 sequentially, or do you want them presented at the
13 same time?

14 MR. HARRIS: I guess we could do it at
15 the same time.

16 THE HEARING OFFICER: Okay.
17 Ms. Hardy.

18 MS. HARDY: Okay. Thank you. In case
19 25221, FAE seeks an order approving an enhanced oil
20 recovery project. Secondary and tertiary recovery in
21 the Lamunyon Unit area by the injection of water and
22 gas into the Glorieta, Paddock, and Blinbry
23 formations. FAE proposes to convert eight producing
24 wells to injectors within the unit.

25 The proposed average injection pressure

1 is expected to be approximately 950 PSIs. The maximum
2 pressure will be calculated relative to the depth of
3 the highest perforation using a factor of 0.2 PSIs per
4 foot, and then could be increased based on a step rate
5 test. The maximum daily injection rate will be 800
6 barrels of water per day, or as permitted by the
7 Division.

8 FAE seeks authorization to include
9 additional injection wells within the project
10 administratively. FAE also requests that the enhanced
11 oil recovery project be qualified for the recovered
12 oil tax rate. Our exhibit packet includes the self-
13 affirmed statements of Charles Hooper, geology, and
14 Vanessa Neal, engineering.

15 Again, both of those witnesses have
16 previously testified and been recognized as experts.
17 Ms. Neal provides the Form C-108 production history,
18 incremental production, economic summary of the unit,
19 and incremental production and economic summary of the
20 wells. Mr. Hooper provides well logs, a structure
21 map, cross sections, a water sample report, map of
22 fresh or produced water sample locations, and a
23 feasibility report.

24 Exhibit C includes the notice
25 information. Notice was sent to the parties on March

1 11, 2025, and was published on February 23, 2025.

2 With that, I request that these exhibits be admitted
3 into the record as well, and our witnesses are
4 available for questions.

5 THE HEARING OFFICER: What was the date
6 that you filed the exhibits?

7 MS. HARDY: They were filed a couple of
8 months ago, actually.

9 THE HEARING OFFICER: Okay. Can you
10 give me a date?

11 MS. HARDY: Yes.

12 THE HEARING OFFICER: I'm trying to
13 find them, but it's not easy.

14 MS. HARDY: April 8, 2025.

15 THE HEARING OFFICER: All right.

16 And, Ms. Vance, do we have a withdrawal
17 of objection?

18 MS. VANCE: That's correct.

19 THE HEARING OFFICER: We also have a --
20 is it a pre-hearing statement from you?

21 MS. VANCE: Yes. We filed it just to
22 be on the safe side, but I don't have any questions
23 for her.

24 THE HEARING OFFICER: All right. I
25 have found the hearing packet in case number 25220.

1 It is 1,518 pages. Is that right? I have found the
2 exhibit packet in 25220. It is 1,518 pages. Is that
3 the most updated packet?

4 MS. HARDY: It is.

5 THE HEARING OFFICER: And I don't hear
6 any objections to the exhibits, so they're admitted in
7 this case, and I'm not looking at the other case, but
8 there have been no objections to the exhibits in that
9 case. So they're admitted without objection. Now, do
10 you have your three witnesses available?

11 (Exhibit 1, Exhibit 2, and Exhibit 3
12 were marked for identification.)

13 MS. HARDY: I believe they're
14 available. I see Mr. Kent there on his video. Is
15 there -- I believe they're all in the same --

16 MR. KENT: Yeah. We're -- we're all in
17 the same room here, Mr. Hearing Examiner.

18 THE HEARING OFFICER: Okay. I can see
19 two people. Is there a -- oh, there we go. Okay.
20 Very good. Would you all raise your right hands,
21 please?

22 //

23 //

24 //

25 //

1 1 WHEREUPON,
2 2 VANESSA NEAL,
3 3 called as a witness and having been first duly sworn
4 4 to tell the truth, the whole truth, and nothing but
5 5 the truth, was examined and testified as follows:
6 6
7 7 WHEREUPON,
8 8 JOSEPH KENT,
9 9 called as a witness and having been first duly sworn
10 10 to tell the truth, the whole truth, and nothing but
11 11 the truth, was examined and testified as follows:
12 12
13 13 WHEREUPON,
14 14 CHARLES HOOPER,
15 15 called as a witness and having been first duly sworn
16 16 to tell the truth, the whole truth, and nothing but
17 17 the truth, was examined and testified as follows:
18 18 MS. NEAL: Yes.
19 19 MR. HOOPER: Yes.
20 20 MR. KENT: Yes.
21 21 THE HEARING OFFICER: Let's start with
22 22 Ms. Neal. Could you state and spell your name?
23 23 MS. NEAL: Yes. This is Vanessa Neal,
24 24 V-A-NE-S-S-A N-E-A-L.
25 -

1 25 THE HEARING OFFICER: Okay. Thank you.
2 20
3 1 And, Mr. Hooper?
4 2 MR. HOOPER: Yes.
5 3 THE HEARING OFFICER: State and spell
6 4 your name.
7 5 MR. HOOPER: C-H-A-R -- Charles Hooper.
8 6 C-H-A-R-L-E-S H-O-O-P-E-R.
9 7 THE HEARING OFFICER: Thank you.
10 8 And, Mr. Kent?
11 9 MR. KENT: Joseph Kent. J-O-S-E-P-H
12 10 K-E-N-T.
13 11 THE HEARING OFFICER: All right. And,
14 12 Mr. Kent, you've been previously admitted as an expert
15 13 before this Division?
16 14 MR. KENT: Yes, sir.
17 15 THE HEARING OFFICER: In what field?
18 16 MR. KENT: Landman.
19 17 THE HEARING OFFICER: Okay. Ms. Neal,
20 18 same question?
21 19 MS. NEAL: Reservoir engineering.
22 20 THE HEARING OFFICER: Perfect.
23 21 And, Mr. Hooper?
24 22 MR. HOOPER: Geoscience.
23 THE HEARING OFFICER: Okay. Perfect.
25 24 All right.
25 Mr. Harris, do you have questions for

1 the witnesses?

2 MR. HARRIS: Yes, I do.

3 THE HEARING OFFICER: Okay. Who do you
4 want to address first?

5 MR. HARRIS: I guess we can maybe do it
6 as a panel because I'm not sure who's --

7 THE HEARING OFFICER: Perfect

8 MR. HARRIS: -- who's best to answer?

9 THE HEARING OFFICER: Okay.

10 CROSS-EXAMINATION

11 BY MR. HARRIS:

12 MR. HARRIS: First question is --

13 THE HEARING OFFICER: Hold on,
14 Mr. Harris. Hold on one sec. I've got to get an okay
15 from the attorney.

16 Ms. Hardy, is it okay that Mr. Harris
17 asks the question to the panel, and whoever is most
18 suited will answer?

19 MS. HARDY: Absolutely, yes.

20 THE HEARING OFFICER: All right. Thank
21 you.

22 Mr. Harris, go ahead.

23 MR. HARRIS: Okay. Thank you.

24 BY MR. HARRIS:

25 MR. HARRIS: So referring to exhibit

1 pack, of which -- for case 25220, 1518 pages, if we
2 could go to page 123 of 1518, please.

3 MS. HARDY: Let me share my screen
4 here.

5 MR. HARRIS: Yes. That's it. Thank
6 you.

7 BY MR. HARRIS:

8 MR. HARRIS: So this is your initial
9 plan of development summary, but if you scroll down to
10 the bottom of the page, it shows that it's only page 2
11 of 32, and then beyond that, it goes to a completely
12 different section. So as the -- it appears to be
13 missing -- missing information here. Do you have the
14 plan of development, and was it included in the
15 application?

16 MS. NEAL: We do have a full detailed
17 plan of development that is usually acquired from the
18 BLM that we provide to them annually, but I believe we
19 only included the summary of it, which is what was
20 page 2 of that full development in this application.

21 MR. HARRIS: Okay. Is that something
22 you can provide after this hearing --

23 MS. NEAL: Absolutely.

24 MR. HARRIS: For us to review. Okay.
25 Thank you. If we could now go to page 753, please.

1 THE HEARING OFFICER: Mr. Harris, your
2 microphone isn't picking you up clearly. And for the
3 witnesses, Ms. Neal, you answered that last question,
4 but from now on, since it is a panel, if you're going
5 to answer the question, please state your name and
6 then answer the question.

7 MS. NEAL: Yes, sir.

8 MR. HARRIS: Okay. Can you hear me
9 now?

10 THE HEARING OFFICER: Yes. Perfectly.

11 MR. HARRIS: Okay. Could we go to page
12 753, please?

13 MS. HARDY: Is this the correct page
14 that I've pulled up?

15 MR. HARRIS: Yes.

16 BY MR. HARRIS:

17 MR. HARRIS: The primary approval
18 letter by the BLM, it notes that Exhibit B was not
19 approved and that the corrected Exhibit B needed to be
20 submitted. Has that been submitted?

21 MR. KENT: This is -- this is Joe Kent.
22 Yes. Yes, it has. And that -- I think that was --
23 that was saying that it would be prior to final
24 approval that an updated Exhibit B would be submitted
25 before they would grant their final approval. So this

1 was -- this was their pre-approval.

2 They were -- they were requesting
3 changes to the format of the Exhibit B, and that --
4 those changes would be submitted and approved before
5 they could -- they would be able to grant their final
6 approval.

7 MR. HARRIS: Okay.

8 MR. KENT: And the final approval will
9 not occur until after the -- we received the NMOCD
10 approval.

11 MR. HARRIS: Okay. So just to clarify,
12 so has Exhibit B been provided to BLM?

13 MR. KENT: Yes. A draft preliminary
14 Exhibit B has been provided to the BLM as of today.
15 Yes.

16 MR. HARRIS: Okay. And is it
17 included -- so as of today only? So it's not included
18 in the exhibit package we have; is that correct?

19 MR. KENT: No. It is included in the
20 exhibit package we have as well.

21 MR. HARRIS: Okay. Could you -- could
22 you show me which page that's located on, please?

23 MR. KENT: Yes. Let me -- let me
24 scroll through here. It's going to be the unit
25 agreement, which is in Exhibit A, labeled as Exhibit

1 A-10.

2 MS. HARDY: Do I have the correct
3 document pulled up, Mr. Kent?

4 MR. KENT: Yeah. That is correct. So
5 it's going to be the Exhibit B to this unit agreement
6 is what he's referring to in that letter, the schedule
7 of ownership. Yeah. So scroll down a little bit
8 more, Dana.

9 MS. HARDY: I'm just trying to find it
10 since there are a lot of --

11 MR. KENT: Yeah.

12 MS. HARDY: -- a lot of pages in these
13 exhibits. I don't want to --

14 MR. KENT: It's going to be -- no, it's
15 going to be down, down more.

16 MS. HARDY: Further.

17 MR. KENT: Yeah. It's going to
18 be -- Exhibit A is going to be the plat. So basically
19 as soon as you see the plat, it's going to be the next
20 exhibit after that.

21 MS. HARDY: After the unit -- okay.

22 BY MR. HARRIS:

23 MR. HARRIS: Okay. For -- for the
24 purpose here, so it's safe to say that it is included
25 in the exhibit pack, that OCD does have the one we're

1 looking at right now, but the schedule of ownership is
2 up to date.

3 MR. KENT: Yes. Yeah. Yes, it is.

4 MR. HARRIS: Okay. That's fine. We
5 can move on.

6 I'm not sure if Mr. Goetze has joined
7 us, if he has any questions regarding the 25220,
8 before we move on.

9 MR. GOETZE: I will let you continue
10 and I will pop in once you're done. Thank you.

11 MR. HARRIS: Okay. Thank you. If we
12 could move to case 25221, which is 434 pages. And do
13 we have the exhibit pack for that case from -- I think
14 it was submitted on April 8th?

15 MS. HARDY: Yes. I'm just pulling that
16 up.

17 MR. HARRIS: Okay. Thank you. Okay.
18 If we could just go to page 5, please. Thank you.

19 BY MR. HARRIS:

20 MR. HARRIS: So at the very, very first
21 sentence there, it says that the "Injection pressure
22 could potentially be increased to 0.65 PSI per foot,
23 which would equate to 3200 PSI." Could you please
24 elaborate on what is the -- what is the current
25 reservoir pressure or do you have an estimate of

1 current reservoir pressure?

2 MS. NEAL: This is Vanessa Neal. We --
3 we could calculate it, but I do not remember off the
4 top of my head what the current reservoir pressure
5 would be. The -- getting it up to 3000 -- or PSI
6 would only be after approval of a step rate test and
7 an increase in the injection pressure to that much.
8 We expect the initial pressure to be -- injection
9 pressure to be at most 1200 pounds.

10 MR. HARRIS: Okay. All right. And do
11 you have an estimate for the original reservoir
12 pressure, and would you be exceeding -- would you be
13 over -- and exceeding the original reservoir pressure,
14 or what would -- what would the plan be for that?

15 MS. NEAL: No. I -- 1200 would not be
16 exceeding the initial reservoir pressure. Again, I --
17 I -- don't want to misspeak --

18 MR. HARRIS: Right. Is 1200 --

19 MS. NEAL: Yes --

20 MR. HARRIS: I'm sorry to interrupt.
21 Is 1200 PSI the surface pressure or the actual
22 reservoir pressure?

23 MS. NEAL: The surface pressure.

24 MR. HARRIS: Surface. Okay. Thank
25 you.

1 MS. NEAL: Yes.

2 MR. HARRIS: I got some -- I have some
3 questions regarding the wells within the area of
4 review, and in particular, some items specific to the
5 sealing off of strata. So if we could go to page 75,
6 please. Okay. So when we look at this well, if you
7 look at the well file for this particular --
8 particular well, the 10856. We have -- If you could
9 just scroll down a little bit more, please.

10 So below -- below the intermediate
11 casing string there in the center of the page, you see
12 we have an open annulus from, I think, it probably
13 runs from approximately 3000 feet down to
14 approximately 5100 feet, approximately. And if we
15 look at the formation types for that particular well,
16 we have the Queen and the San Andres, and the
17 Glorieta.

18 Those are completely exposed and open.
19 So none of that strata has been sealed or isolated.
20 And these -- this -- this well is in close proximity
21 to some of the proposed injection wells. So we just
22 want to bear this mind -- keep this in mind as we --
23 as we proceed forward, please. But the basic point
24 here, the context is that we do have an open annular
25 section with the Queen, San Andres, and Glorieta

1 exposed and not sealed and isolated.

2 If we could move to page 74, please --
3 I'm sorry, 76. Okay. Similarly, if we scroll down,
4 we have open all here again from -- we have internal
5 on the inside of the casing, but outside just below
6 the intermediate casing from approximately 2950, feet
7 where those perms were squeezed down to approximately
8 5600 feet.

9 Again, we have an open annulus with the
10 Queen, San Andres, and Glorieta formations not being
11 sealed and isolated. Carrying on with this theme, if
12 we could go to page 81, please. And if we could
13 scroll down some more, please. Okay. Thank you.

14 So again, here it appears that we have
15 an open hole section from approximately 3695 feet down
16 to the top of cement for the 7-inch, which was at 7410
17 feet. So again, we have -- we have Queen, San Andres,
18 and Glorieta formations in pressure communication.
19 That strata has not been sealed off, and this could
20 lead to potential communication pathways during
21 injection operations.

22 And, finally, one more well to look at
23 is page 96 of 434. So again, this is a well where, as
24 they were drilling the open hole section -- or sorry,
25 as they were drilling the -- below the intermediate

1 casing shoe. The intermediate casing collapsed, I
2 think, at 1900 feet.

3 And so, you can see below the
4 intermediate casing shoe, we have an open hole
5 wellbore with, I believe, there is a fish drill pipe
6 inside the tubing -- or sorry, inside the wellbore.
7 And so there's everything from the Seven Rivers,
8 Queen, Grayburg, all the way down to the boning, and
9 that's exposed in this wellbore.

10 So again, the communication pathway and
11 strata is not effectively sealed off. So, I guess,
12 from just a -- just a point of clarification here.
13 Going forward, OCD would need to evaluate and would
14 want to see some remediation in these wells to seal
15 off the strata to prevent cross-flow from San Andres,
16 Glorieta, and other formations, to prevent cross flow
17 and to seal that strata such that the San Andres is
18 not in communication with the Glorieta, Blinberry,
19 Drinkard -- or sorry, the requested units for this
20 water flow. Is that clear? Do you have any questions
21 on that?

22 MS. NEAL: That's clear. We
23 understand.

24 MR. HARRIS: Okay. Thank you. If we
25 could go to page 124, please. If you could just

1 scroll down a little bit, so we could see the -- axis.
2 Okay. If we look at the time period from around
3 1992 -- between 1992 and 1996, perhaps. -- clearly
4 showing an uplift in production along with an increase
5 in water production from the -- the blue squares and
6 an increase in gas from the red squares.

7 Of particular interest here is that, if
8 you look at the black line on the bottom, there was no
9 new wells drilled during this period of time. So can
10 you please explain or elaborate on what you think may
11 have caused this production uplift when there was no
12 new well drilled?

13 MS. NEAL: Sure. This is Vanessa Neal
14 again. In the mid-1990s, there was a recompletion
15 program and -- and later, an infill program where they
16 added and fracked the Lower Paddock and additional --
17 within in the Blinebry. And that was what caused the
18 uplift in production during that time period.

19 MR. HARRIS: Okay. Do you think any of
20 that uplift could have been the result of cross flow
21 from San Andres and intervals above the Blinebry?

22 MS. NEAL: No. I wouldn't think so.
23 They did very targeted recompletions -- or yeah,
24 recompletions during that time. And it was specific
25 lobes -- upper lobes within the Blinebry and the very

1 Lower Paddock, which was not open on any of the
2 examples that you just showed.

3 MR. HARRIS: Okay. Did you collect
4 any -- do you have any water samples that would
5 confirm that it's reservoir -- water from the
6 reservoir itself and not from disposal --

7 MS. NEAL: We did do compatibility
8 tests and collected samples from the producing wells,
9 and they -- they showed, I mean, the ones that we had
10 showed it was Blinebry water, predominantly.

11 MR. HARRIS: Okay. All right. Thank
12 you. If we could go to page 125. please. So the
13 legend in this table up top -- top right-hand corner,
14 I think. Yeah. So is this plot -- if you look at the
15 top right corner, it says for secondary operations.

16 I just want to confirm that this is a
17 production profile. When I've used secondary, I look
18 at that as waterflood versus CO2, would be a
19 tertiary -- tertiary flood operation. So from that
20 perspective, is this plot here only for secondary
21 operations, i.e., for water flow operations?

22 MS. NEAL: Yes.

23 MR. HARRIS: Okay. Thank you. If we
24 could go to page 150, please. In, I think, paragraph
25 5 -- no, I'm sorry, paragraph 11, it does state here

1 that the injection fluids will be contained to the
2 injection interval as a result of stratigraphic
3 containment above and below the injection zone.

4 So while that may be a valid statement,
5 considering the -- the open annular sections we -- we
6 just looked at in the four wells. Do you still
7 support that statement? I think this was a statement
8 from Mr. Hooper?

9 MR. HOOPER: Yes. This is Charles
10 Hooper. Geologically speaking, we believe there to be
11 in -- in the lower San Andres zone, a sufficient seal
12 to keep the -- keep the water injected into the
13 Glorieta, Paddock Blinbry formations contained within
14 the Glorieta, Paddock and Blinbry formations.

15 As a result of those -- those four
16 wells that you listed with the open -- or I guess the
17 casing without the cement behind it and zones above
18 that, I can't speak. I can't speak with confidence
19 without looking at those -- looking at those further
20 and evaluating.

21 MR. HARRIS: Okay. Thank you. So --
22 so this statement would be specific to the
23 stratigraphy alone?

24 MR. HOOPER: Yes.

25 MR. HARRIS: Okay. Thank you. If we

1 could move to page 169. please. Okay. So this is
2 part of your development plan, your EOR feasibility
3 study. Your first statement there -- first
4 conclusion, is that based upon analog field results,
5 the unit can be successfully water-flooded. So, I
6 think, is it safe to say that you rely -- you're
7 relying on 100 percent on the performance of analog
8 fields for your assessment of this field, or has there
9 been any independent reservoir simulation done?

10 MS. NEAL: This is Vanessa Neal. No.
11 We're not relying 100 percent just on analog fields.
12 There was actually a core study done 10 or 20 years
13 ago, taken from well -- with core taken from wells
14 specifically from this field, and they analyzed the
15 waterflood and CO2 properties in that core study and
16 proved it to be feasible.

17 MR. HARRIS: Okay. So I guess in terms
18 of for your analog field relative to your Lamunyon
19 Unit, I mean, is it a similar deposition environment
20 and similar reservoir quality, or what are you looking
21 at here?

22 MS. NEAL: Yes. It was other Blinbry,
23 Paddock floods in the -- in the local area,
24 specifically the -- the justice unit. Trying to
25 think, I think there was one more, but I can't

1 remember what it was.

2 MR. HARRIS: Okay. And were the --
3 were those anticlinal structures similar to the
4 Lamunyon Unit?

5 MS. NEAL: The justice unit was.
6 The -- is not an anticlinal structure.

7 MR. HARRIS: Okay. And so those --
8 those structures or those analogs, were they all five-
9 spot patterns or was there a line drive or what was
10 the -- the flood mechanism?

11 MS. NEAL: There was a mixture in
12 different -- in different areas. Generally, most of
13 them did five-spot patterns. There were specific
14 areas and the -- where they did closer down spacing
15 down to five-acre well spacing, and -- but I believe
16 they maintained a five-spot pattern while doing that.

17 MR. HARRIS: Okay. All right. Thank
18 you. If we could go to page 171, please. So it
19 states here in Section 1.2, the Lower Paddock and the
20 Blinbry are the primary targets for secondary
21 recovery. And then the north side have an additional
22 Upper Paddock and Glorieta potential.

23 If we look at the case file 12756 that
24 was filed by Arch Minerals several years ago, in that
25 particular case file and the subsequent order that was

1 issued, the waterflood -- there was a waterflood
2 project on the same anticlinal structure and in the
3 same interval in the existing pool, but they didn't
4 include the Glorieta as part of that waterflood.

5 So has there been any changes in your
6 assessment from then versus now as to why FAE is
7 including the Glorieta?

8 MS. NEAL: Yes. A couple of years ago,
9 in 2021, we tested the Glorieta in this field on a
10 couple of different wells in a few key locations, and
11 based on that, we'd like to include it with this
12 water --

13 THE HEARING OFFICER: And that -- and
14 that was Ms. Neal who was speaking?

15 MS. NEAL: Yes. Sorry.
16 BY MR. HARRIS:

17 MR. HARRIS: Okay. Thank you. Just a
18 couple more questions. On page 176, Section 2.6
19 below -- maybe it's -- sorry, maybe it's 2.3, but
20 it -- it mentions in here a gas oil contact and an oil
21 water contact. So based on that terminology, this
22 well -- sorry, this reservoir was initially a
23 saturated reservoir with free gas leak.

24 MR. HOOPER: This -- this is Charles
25 Hooper. What we're illustrating here is that the --

1 the GOR cutoff for our cum oil and gas figures fall
2 within the oil classification -- oil well
3 classification as defined by the OCD as less than a,
4 you know, 100,000 cubic feet per barrel. In terms of
5 a gas oil contact, no, we do not have a mapped gas oil
6 contact in -- in this reservoir.

7 And, likewise, for oil-water contact,
8 we don't have -- due mostly to -- to the availability
9 of wells. We don't have a well-defined oil-water
10 contact, but we do have a lowest known oil, which is
11 how we kind of drew our -- our unit outline, and to
12 find our productive reservoir results.

13 MR. HARRIS: Okay. So then, actually,
14 it was Section 2.6 on page 178 that I was referring
15 to. We can scroll down just a little bit more. Yeah.
16 So it's the Original Oil in Place mapping was
17 performed by reducing the Glorieta, Paddock, and
18 Blinbry net reservoir maps to net pay defined as to
19 oil -- reservoir between the gas oil and the oil water
20 contact. So you're saying that there is no mapped gas
21 oil contact?

22 MR. HOOPER: That -- that would be, you
23 know, that's a definition of a -- of a net pay. It
24 probably should have been better worded, but yes, we
25 don't have a -- a drawn-out gas oil contact within --

1 within this reservoir. All the zones that we've
2 tested have been oil productive.

3 MR. HARRIS: Okay. So -- and the
4 context here is just understanding what was the
5 original conditions in the reservoir, were you dealing
6 with a saturated reservoir or with a gas oil contact
7 or in a free gas cap, or was it undersaturated, but
8 there was no free gas. I'm just wondering how does
9 that factor into your completion plan here in terms of
10 how -- what sort of increase in reservoir pressure you
11 would be targeting under secondary recovery
12 operations?

13 MR. HOOPER: And this is Charles Hooper
14 again. In terms, we don't believe there to have been
15 a free gas cap in the northern part of the field at
16 the top of the structure. We still don't see, you
17 know, gas-only zones. Even at the very top of
18 the -- very top of the verbal limits. We see oil
19 production.

20 Now locally, it is possible to have
21 a -- a higher gas saturation as wells have drawn down
22 pressure and you might have had, you know, you might
23 have reached bubble point locally in -- in well spots,
24 but that's not -- we don't see, you know, gas wells
25 here. We see -- we see oil wells.

1 And in terms of the -- the increase in
2 pressure, I don't have a -- a concept off the top of
3 my head -- a number off the top of my head for what
4 would need to be increased to -- to see -- to see the
5 response. Did that answer your question?

6 MR. HARRIS: Indirectly, perhaps, yeah.
7 Just from the context of reservoir energy, and, you
8 know, if you're going into a secondary recovery
9 operation, I was just curious as to where you would be
10 in terms of what your target would be for maintaining
11 reservoir pressure versus the original reservoir
12 pressure. Because on another page, on page 179, you
13 mentioned that your original formation volume factor,
14 your -- your Bo was 1.3 reservoir barrels per stock
15 tank barrel.

16 And I'm just curious where we would --
17 where the reservoir sits now relative to that
18 formation volume factor. Because, you know, if your
19 reservoir's been depleted, that formation volume
20 factor is going to be much lower, and if you're
21 without knowing that value, the volume of water that
22 you're injecting could be overboarding the reservoir
23 and pushing the oil down deep and out into adjacent
24 blocks and adjacent units.

25 That's the context I was looking for,

1 but that's fine. The -- the information's not
2 available. We'll move on.

3 That concludes my questions. I can
4 hand it over to Mr. Goetze.

5 THE HEARING OFFICER: Mr. Goetze.

6 MR. GOETZE: Thank you very much. Good
7 morning.

8 CROSS-EXAMINATION

9 BY MR. GOETZE:

10 MR. GOETZE: I just have three items.
11 First is a question for Mr. Hooper.

12 MR. HOOPER: Yes, sir.

13 MR. GOETZE: And your self-affirmed
14 statement on the hydrology and items associated with
15 your water sampling, and if you really need a
16 reference, it's page 1099 of 1518. And, I believe, it
17 is 25220. The exhibit for that -- Exhibit B-6 was the
18 water samples.

19 Anyhow, in general, we make the
20 statement that we will not have any hydraulic
21 communication with shallow groundwater. Did we make
22 any effort to isolate or at least identify what is the
23 source of groundwater as far as this -- in Santa Rosa?
24 Is this what we're looking at?

25 MR. HOOPER: Apologies. Let me pull

1 that back up. Yeah. So this is Charles Hooper. In
2 terms of the freshwater samples, I do not know that we
3 specifically listed a formation that these were coming
4 from, but I believe them to all be shallow wells.

5 MR. GOETZE: Okay. I'm going to ask
6 you to do a little more clarification in writing.

7 MR. HOOPER: Okay. Sure.

8 MR. GOETZE: This is not really good
9 proper hydrology, and since underground sources of
10 drinking water is a critical item, at least, let's
11 give these things a name. At least, when looking at
12 one of the wells, we have a capacity of 43 GPM per
13 minute. And the water sample that you took from it is
14 very low in TDS.

15 So let's get a clarification statement
16 on what you think the aquifers you are protecting.
17 Whether they're Alluvial, whether they're Dockum,
18 whether they're anything you can be familiar of and we
19 can associate and say okay. We've identified it. So
20 I would ask for that.

21 MR. HOOPER: Yes, sir.

22 MR. GOETZE: Second item, induced
23 seismicity. This is just a general statement. I
24 would not write off totally the relationship with
25 waterfloods, especially for the West Dollarhide. It

1 was identified by Dr. Allan Sanford when he did the
2 seismological assessments for -- site. It has also
3 been brought to our attention that we'll be meeting
4 actually with the Bureau of Economic Geology at the
5 University of Austin as a part of the CISRs.

6 And that's the -- for the record, I
7 never quite get this right, is the Center for
8 Injections and Seismicity Research. We're doing a lot
9 of effort out there on the platform, so we will keep
10 you informed of that situation. But there is no
11 blanket statement anymore that shallow injection on a
12 large scale of a lot of these projects does not have a
13 relationship to induced seismicity.

14 So just wanting to keep you informed of
15 that. And we may be asking for additional information
16 on operations, should we need this to support research
17 in this area. So that's my second item.

18 My third item is to Ms. Hardy for case
19 25220. We have tried to put in the expansion of the
20 vertical lifts and pools. I would recommend and then
21 strongly suggest, and probably will see this in the
22 order, is that you go ahead and provide a separate
23 case like we've done for your other FAE projects.

24 And we will go and request that this be
25 done as a separate case, so that we can track it as a

1 nomenclature and then change or expansion of
2 contraction of the pool, so that we can keep track of
3 these things as we do on our pool maps. To that end,
4 I believe, that we're going to arrange a meeting with
5 Mr. Kent.

6 And you may come along and we will talk
7 about this and others, but I will request to the
8 Examiner that this item, we will separate it out in
9 the hearing order and at that point move forward as a
10 separate case. Otherwise, I have no other additional
11 comments. Thank you.

12 MS. HARDY: Understood. Thank you.

13 THE HEARING OFFICER: Any redirect?

14 MS. HARDY: No. Thank you.

15 THE HEARING OFFICER: All right. Do
16 you have a -- Ms. Hardy, do you have a list of the
17 additional requests from Mr. Harris and Mr. Goetze?

18 MS. HARDY: I believe I do. If I could
19 restate that --

20 THE HEARING OFFICER: Yes.

21 MS. HARDY: -- to make sure I
22 understand. I think it's -- the first one is the
23 complete plan of development, and the second --

24 THE HEARING OFFICER: Is there an
25 exhibit number to that?

1 MS. HARDY: It's currently a summary,
2 and it's -- case 25220. I believe it's in Exhibit B.

3 THE HEARING OFFICER: Exhibit B, as in
4 boy.

5 MS. HARDY: It's part of that exhibit,
6 yeah.

7 THE HEARING OFFICER: Okay. All right.

8 MS. HARDY: Yes. So we can submit the
9 complete plan of development, and then the second
10 request involved the water samples and additional
11 descriptions.

12 And, Mr. Hooper, do you have an
13 understanding of exactly what the examiners are
14 looking for on that?

15 MR. HOOPER: Yes, I do.

16 MS. HARDY: Okay.

17 THE HEARING OFFICER: Which exhibit is
18 that, Mr. Hooper?

19 MR. HOOPER: That is in the -- it is in
20 both cases, and it is Exhibit B-6.

21 THE HEARING OFFICER: Thank you.

22 MS. HARDY: Okay. And then, on induced
23 seismicity, I understood from Mr. Goetze that that was
24 something that would just be monitored.

25 MR. GOETZE: That is correct.

1 MS. HARDY: Okay.

2 MR. GOETZE: We would go -- we'd be
3 communicating with you, but just to make you
4 forewarned, the situation may change as we get more
5 research in. Thank you.

6 MS. HARDY: And then, I understand that
7 we are requested to work with OCD to file a separate
8 application on expansion of the pool. So I think the
9 only two pieces of information were the plan of
10 development and the water sample information.

11 THE HEARING OFFICER: So, Mr. Harris,
12 Mr. Goetze, do you want -- how do you want to move
13 forward with this case? Do you want that evidence
14 submitted and then come back on the record for
15 continued review, or how do you want to work this?

16 MR. GOETZE: At this point, I think
17 since it's not contested, I think we'd be willing to
18 go ahead and take it under advisement.

19 THE HEARING OFFICER: Okay.

20 MR. GOETZE: With a time period
21 specified for the submittal of the two that we
22 requested.

23 THE HEARING OFFICER: Okay.

24 Ms. Hardy, how long do you think it'll
25 take to submit that?

1 MS. HARDY: Mr. Hooper, Ms. Neal, how
2 long do you believe it'll take to obtain the
3 information?

4 MR. HOOPER: This is Charles Hooper. I
5 think by the end of this week.

6 MS. NEAL: This is Vanessa Neal. I
7 agree. The plan of development is already done, so
8 it'll just be gathering up the -- the statement
9 clarification on the freshwater -- wells.

10 THE HEARING OFFICER: So should we set
11 a deadline for close of business August 1st?

12 MS. HARDY: That's fine. Thank you.

13 THE HEARING OFFICER: Yes. Ms. Hardy.
14 Okay. Mr. Goetze and Mr. Harris, close of business
15 August 1st, work for you?

16 MR. GOETZE: Yes. It does.

17 THE HEARING OFFICER: All right.

18 MR. HARRIS: Yes, sir. It does.

19 THE HEARING OFFICER: All right. We'll
20 leave the record open till 5:00 p.m. August 1st, and
21 then this case will be taken under advisement as long
22 as we get the information we need.

23 Now, can you submit a revised exhibit
24 packet for both cases that includes this information
25 with a cover letter?

1 MS. HARDY: Yes.

2 THE HEARING OFFICER: All right. Thank
3 you. Okay. All right. So Mr. Harris and Mr. Goetze,
4 there will only be one revised exhibit packet for you
5 guys to look at.

6 MR. HARRIS: Okay.

7 THE HEARING OFFICER: Anything further
8 on this?

9 MR. HARRIS: Just one point -- one
10 point before we leave, if I could.

11 THE HEARING OFFICER: Go ahead,
12 Mr. Harris.

13 MR. HARRIS: Yeah. One thing in -- in
14 review of this application. Obviously, it's -- it's
15 for just a couple of components here. It's the
16 secondary recovery, which is waterflood, and then
17 there's a request for tertiary recovery, which would
18 be CO2 flood. At this time, based upon our initial
19 review, and I'll let Mr. Goetze elaborate if
20 necessary, but we -- we could support, obviously, with
21 remediation of those wells that we discussed with the
22 open annulus.

23 We would be able to support secondary
24 recovery operations through waterflood. However, the
25 tertiary waterflood would be a bit of a stretch at

1 this point in time and -- and would probably have to
2 come before a separate hearing. Considering the age
3 of the wells and the energized nature and corrosive
4 nature of the CO2, that would take much more in-depth
5 investigation, I think.

6 So at this point in time, suffice it to
7 say, secondary recovery with waterflood, we are
8 willing to evaluate and entertain, but the tertiary
9 would take -- would be -- would be an additional step.
10 I will let Mr. Goetze elaborate on that if necessary.

11 MR. GOETZE: I don't need to elaborate.
12 Mr. Harris has done quite well. Thank you.

13 THE HEARING OFFICER: Ms. Hardy --

14 MR. HARRIS: Is there any questions on
15 that?

16 THE HEARING OFFICER: All right. Thank
17 you, Mr. Harris.

18 Ms. Hardy, anything further?

19 MR. HARRIS: Thank you.

20 MS. HARDY: No. Thank you.

21 THE HEARING OFFICER: All right. So we
22 are off the record on these two cases.

23 (Exhibit 4, Exhibit 5, and Exhibit 6
24 were marked for identification.)

25 Let's proceed to the rest of our

1 docket. All right. Let's start out with Avant
2 Operating, LLC case number 24849, and let's see if
3 it's joined with any other case here. No. I don't
4 think it is.

5 Entries, please.

6 MS. BENNETT: Thank you, Mr. Examiner.
7 Deana Bennett on behalf of Coterra Energy Operating.
8 Coterra Energy Operating acquired Avant's interests in
9 this acreage and the acreage that's subject to this
10 case in mid-January. And so I -- when the Division
11 asked for Avant to continue the case, I did file a
12 continuance, but on behalf of Coterra Energy Operating
13 as a successor in interest.

14 THE HEARING OFFICER: Okay. Thank you.

15 MS. VANCE: Good morning, Mr. Hearing
16 Examiner. Paula Vance with the Santa Fe office of
17 Holland & Hart on behalf of Matador, and we are just
18 preserving rights, so no objections.

19 MS. BENNETT: Thank you. The
20 Division -- so this case was originally heard in
21 January 2025, and it's my understanding that the
22 Division -- well, let me just say that at the hearing,
23 I noted -- and Mr. McClure and I had a discussion
24 about the fact that there was a party that had not
25 received notice of the hearing.

1 And that party had not received mailed
2 notice, but had received actual notice of the hearing.
3 Avant's landman contacted the -- the interest owners
4 MVDR, and Avant's landman had contacted MVDR once we
5 realized there had been some confusion about the title
6 in this area and reached out to them via phone and
7 email, and made them aware of the hearing.

8 And also made them aware that Avant was
9 not going to seek to pool them at that hearing due to
10 the defect in notice. And MVDR agreed with that
11 approach that so long as Avant did not seek to pool
12 MVDR, MVDR would not object for lack of notice.

13 So there was actual notice of the
14 hearing, and that was the day before the hearing or
15 two days before the hearing. And they had actual
16 notice of their right to object, and they did not
17 because they were not being pooled. So we had the
18 hearing, and it was my -- and we discussed this issue,
19 and it was my understanding after the hearing, in
20 fact, the hearing record indicates that the case was
21 taken under advisement.

22 And then, in the ensuing months, I
23 understand that the OCD has been reconsidering
24 whether, under the rules, notice is required to
25 parties who have not yet committed to a unit, but who

1 are not being pooled. And it's my understanding that
2 perhaps the Division has come to a conclusion that
3 those types of parties are entitled to notice of a
4 hearing, even if they're not being pooled. So that's
5 why we're here today is to discuss that.

6 And I understand from Mr. McClure to
7 discuss the status of the outreach to MVDR. And I do
8 have a witness available, but before we turn to him, I
9 just thought I could maybe short-circuit the process
10 and say that Coterra has been in discussions with
11 MVDR. There is not a JOA yet in place, but they're
12 working towards obtaining a JOA.

13 And so, if the Division is inclined to
14 require that notice be given to working interest
15 owners who are not being pooled, we would ask that the
16 Division continue -- that I'd be allowed to continue
17 the case to August 21st. I would send MVDR, a notice
18 letter, and then they would be able to appear at the
19 August 21st -- and I chose August 21st because that's
20 a contested hearing date, a special docket date.

21 And that's enough time for me to
22 actually get the notice letter out under the
23 Division's rules. And so, then, we would be able to
24 perfect notice, which I think is the -- to the extent
25 that notice is required, which I'm happy to discuss

1 that further if there's room for discussion.

2 But to the extent the Division has
3 determined that notice is required, I would ask that I
4 be allowed to continue the case to August 21st to
5 perfect notice, and if MVDR wants to object, they can
6 come to the hearing at that time, or perhaps by then
7 we'll have a JOA in place.

8 THE HEARING OFFICER: Perfect. Thank
9 you. I'm just communicating with Mr. McClure and
10 waiting for an answer from him, so thank you for that
11 presentation and clarification. All right. I don't
12 believe Mr. McClure has any questions for your
13 witness.

14 MS. BENNETT: Thank you.

15 THE HEARING OFFICER: I think that your
16 proposal is suitable. So what will you do? So you're
17 going to continue the case to August 21st. We'll hear
18 it in the beginning of the docket to make it easy.
19 And what will you do in the meantime with MVDR?

20 MS. BENNETT: So first, the case will
21 be continued to only for purposes to secure notice, so
22 no need to go through all the evidence again. And in
23 the meantime -- and what's already occurring is
24 Coterra is in discussions with MVDR in the hopes of
25 entering into a JOA before August 21st.

1 But, if we -- if Coterra is not able to
2 enter into a JOA with MVDR by August 21st and MVDR
3 does not appear at the hearing, then the Division can
4 move forward with entering the order just as in the
5 usual course when any party gets a notice letter and
6 does not object to the hearing moving forward.

7 THE HEARING OFFICER: So are you going
8 to have a piece of evidence for the Division to
9 consider that would be the notice to MVDR?

10 MS. BENNETT: Yes, I will --

11 THE HEARING OFFICER: Okay.

12 MS. BENNETT: -- submit a short exhibit
13 packet that will include the notice letter to MVDR,
14 and, of course, if MVDR enters into a JOA between now
15 and August 21st, I would submit a short motion to the
16 Division asking the Division to vacate or to not
17 require us to come to hearing on August 21st.

18 THE HEARING OFFICER: That sounds good.
19 What would be the deadline for your notice exhibit?

20 MS. BENNETT: It would -- the deadline
21 for filing the notice exhibit or the deadline for me
22 sending out the notice?

23 THE HEARING OFFICER: You sending it
24 out.

25 MS. BENNETT: It would be August 1st --

1 THE HEARING OFFICER: August 1st.
2 MS. BENNETT: July 31st.
3 THE HEARING OFFICER: So 20 days
4 before?
5 MS. BENNETT: Yes.
6 THE HEARING OFFICER: Twenty working
7 before, if --
8 MS. BENNETT: Twenty calendar days.
9 THE HEARING OFFICER: Perfect. Okay.
10 Great.
11 Mr. McClure, does that work for you?
12 MR. MCCLURE: I almost wonder if we
13 shouldn't continue to August 21st regardless, so we
14 can review the notice and put it on record that way.
15 Only speaking towards the concept that if they sign
16 the JOA in the meantime, I wonder if we shouldn't have
17 opportunity to review that and continue regardless.
18 THE HEARING OFFICER: Well, if they
19 sign a JOA and we get something from Ms. Bennett that
20 says we have a JOA in place with MVDR, I believe her
21 statement should be enough for us to not need a
22 hearing or to bring the case back on the 21st of
23 August. I think that, you know, she has a duty to be
24 candid with the Tribunal under the ethics.
25 Is there anything further, Ms. Bennett?

1 MS. BENNETT: Nothing on that
2 particular point, but as we've been sitting here, I
3 did recall that in our exhibit packet that we filed,
4 we did not pool MVDR. So if we were to approach the
5 August 21st hearing and MVDR had not signed the JOA
6 and Coterra needed to move forward with pooling MVDR
7 in that situation, I would need to file an amended
8 exhibit packet as well.

9 THE HEARING OFFICER: Okay.

10 MS. BENNETT: I'm hoping that all of
11 that will become moot, but I did -- just as we've been
12 sitting here, I did -- that did occur to me. And I
13 appreciate Mr. McClure's desire to have some, I guess,
14 certainty on August 21st, and I'm not necessarily
15 opposed to continuing the case to August 21st, even
16 if -- well, that -- I would do that today no matter
17 what.

18 So if that's the concern, I would do
19 the continuance today, no matter what, file it. And
20 if, you know, at the end of the day, the Division
21 determines that they would still like me to come back
22 on August 21st to confirm that there's been a JOA, I'm
23 happy to do that. I don't see the need for that. We
24 don't typically have to confirm that a party's entered
25 into a JOA, but I'm happy to do that.

1 THE HEARING OFFICER: So, Mr. McClure,
2 I'm -- if you're willing to -- I think it's a proper
3 suggestion from Ms. Bennett that if they do put a JOA
4 in place before August 21st, that an email from her
5 would be enough for me to change the status of the
6 case to take it under advisement without having
7 additional evidence on that point. But if you feel
8 strongly about that, then we'll come back no matter
9 what.

10 MR. MCCLURE: Mr. Hearing Examiner,
11 it's not so much about not trusting the attorney to be
12 candid. It's a matter of reviewing what they submit
13 to us. Similar to like when we have an error on the
14 CPAC, we want to make sure exactly what's submitted
15 and have that opportunity to review it before we
16 preemptively say it's going to be taken under
17 advisement with the record left open.

18 I guess I don't know what your thought
19 process is as far as that goes. I guess it's just my
20 recommendation that even if it's only reopening it and
21 talking about it for 30 seconds, you know, in the next
22 docket, it seems like that might be the most aligned,
23 I guess, with how we're approaching all the other
24 cases as well.

25 THE HEARING OFFICER: So we need

1 evidence. I think what -- Mr. McClure, what you're
2 saying is we need evidence of either the notice to
3 allow MVDR to object, if there is no JOA, or if there
4 is a JOA, then we need evidence that there has been a
5 settlement there. Is that what you're saying?

6 MR. MCCLURE: Yeah. That's correct,
7 Mr. Hearing Examiner.

8 THE HEARING OFFICER: And normally, how
9 do you -- Ms. Bennett, how do you normally provide
10 evidence of a JOA?

11 MS. BENNETT: In the exhibit packet
12 that we submit, there would be a committed versus
13 uncommitted. And I haven't looked back at the
14 Sapphire exhibit packet to see if we -- my
15 recollection is that we put an asterisk beside MVDR
16 and said that they were not yet. That we were in
17 discussions, or Avant was in discussions with MVDR.

18 So we could submit an affidavit from
19 Mr. Robertson that shows that there has been a JOA,
20 and we could submit amended exhibits that show that
21 MVDR is in the committed column versus in the
22 uncommitted or asterisk column.

23 THE HEARING OFFICER: Okay.

24 So, Mr. McClure, if Ms. Bennett
25 provides an affidavit, a revised exhibit packet with

1 an affidavit from the landman saying we now have a
2 JOA, would that alleviate bringing the case back on
3 August 21st?

4 MR. MCCLURE: Well, I was going to say
5 that would cure the issue with whether notice was
6 provided per the requirements under the rule. I --I
7 guess I'm not understanding how that would necessarily
8 procure the need to review what's submitted, though.
9 Having said that, I mean at your discretion, if you
10 want to take it under advisement with record left
11 open, then we can proceed that way, if you'd like.

12 THE HEARING OFFICER: Okay. Okay. All
13 right.

14 Ms. Bennett, I think Mr. -- what
15 Mr. McClure is getting at is that he'd like a chance
16 to review the evidence, and if there are any
17 questions, to be able to be on the record. Have your
18 witness available. So, please, continue the case to
19 August 21st. Good luck with your JOA negotiations,
20 and we'll revisit the case then.

21 MS. BENNETT: Thank you.

22 THE HEARING OFFICER: Thank you very
23 much. We're off the record in that case. Let's go to
24 number 2 on our docket. Let me find it. That case
25 number is 25350, COG Operating, and let me see if

1 it's -- no.

2 Entry of appearance, please.

3 MS. VANCE: Good morning, Mr. Hearing
4 Examiner. Paula Vance with the Santa Fe office of
5 Holland & Hart on behalf of the applicant, COG. And
6 we are just here -- I'm hoping this takes all of two
7 seconds for you -- is we had a scrivener's error, and
8 that has been corrected. And I believe you can see it
9 on page -- let me get there. Oops, I just had it up.

10 THE HEARING OFFICER: Yes. We have it.

11 MS. VANCE: Okay. Page 5.

12 THE HEARING OFFICER: We have it,
13 Ms. Vance, and the case will be taken under
14 advisement. Thank you.

15 MS. VANCE: Excellent. Thank you.

16 THE HEARING OFFICER: We're off the
17 record in that case.

18 Moving on to number three on our
19 docket. This is EOG Resources, 25433.

20 MS. VANCE: Good morning, Mr. Hearing
21 Examiner. Paula Vance with the Santa Fe office of
22 Holland & Hart on behalf of the applicant, EOG. And
23 in this case, we just provided a revised chronology of
24 contacts. We just included a little bit more detail,
25 and that was filed, I think, the same day as the

1 hearing that we presented at last month so. With
2 that, I would ask --

3 THE HEARING OFFICER: Are you moving
4 anything into evidence?

5 MS. VANCE: The revised hearing packet.
6 Yes.

7 THE HEARING OFFICER: Okay. Without
8 objection --

9 (Exhibit 7 and Exhibit 8 were marked
10 for identification.)

11 Mr. McClure, any questions?

12 MR. MCCLURE: No questions, Mr. Hearing
13 Examiner.

14 THE HEARING OFFICER: We'll take the
15 case under advisement.

16 MS. VANCE: Excellent.

17 THE HEARING OFFICER: Thank you,
18 Ms. Vance.

19 MS. VANCE: Thank you.

20 THE HEARING OFFICER: Let's move to
21 number four on the docket. This is Spur Energy, LLC.
22 It is 25447.

23 MS. MCLEAN: Yes. Good morning.
24 Jackie McLean with Hardy McLean on behalf of Spur
25 Energy Partners.

1 THE HEARING OFFICER: Good morning.

2 MS. MCLEAN: And I believe there are
3 other entries.

4 MR. EVERHART: Good morning,
5 Mr. Examiner, Jacob Everhart. That's E-V-E-R-H-A-R-T.

6 THE HEARING OFFICER: Thank you.

7 MR. EVERHART: With Beatty & Wozniak,
8 New Mexico, on behalf of Riley Permian Operating,
9 entering our appearance for monitoring purposes only.

10 THE HEARING OFFICER: Thank you.

11 MS. MCLEAN: I think that's -- those
12 are the only ones. And in this case, this one had an
13 issue with the exhibits being reviewed in time. So we
14 do have to present the entire case.

15 THE HEARING OFFICER: Go ahead.

16 MS. MCLEAN: Okay. In case number
17 25447, Spur seeks an order pooling all uncommitted
18 interest in the San Andres formation underlying a 160-
19 acre, more or less, standard horizontal spacing unit
20 comprised of the north half, south half of Section 25,
21 Township 17 South, Range 27 East in Eddy County.

22 And Spur will dedicate this to the
23 Black Cherry Federal Com 110H well. The exhibits that
24 were submitted by Spur for this case includes the land
25 testimony and corresponding exhibits of Colleen

1 Bradley, as well as geology testimony exhibits of
2 Matthew Van Wie. Both of who have been previously
3 admitted to testify as experts before the Division.

4 We also have notice testimony and
5 exhibits that show the notice letter was timely sent
6 back on June 17th, and publication was made on June
7 21st. And unless there are questions, I ask that the
8 exhibits be admitted for case number 25447 and the
9 case be taken under advisement.

10 THE HEARING OFFICER: Mr. Everhart, who
11 has signified no. So without objection, exhibits are
12 admitted.

13 (Exhibit 9, Exhibit 10, and Exhibit 11
14 were marked for identification.)

15 Mr. McClure?

16 MR. MCCLURE: No questions, Mr. Hearing
17 Examiner.

18 THE HEARING OFFICER: The case is taken
19 under advisement. Thank you, Ms. McLean.

20 MS. MCLEAN: Thank you.

21 THE HEARING OFFICER: Moving to number
22 5, also Spur Energy Partners, 25453.

23 MS. MCLEAN: Yes. And Jackie McLean,
24 on behalf of Spur Energy Partners.

25 MR. EVERHART: Jacob Everhart, on

1 behalf of Riley Permian Operating, entering our
2 appearance only for monitoring.

3 MS. MCLEAN: I think EOG is also
4 entered, but --

5 THE HEARING OFFICER: I don't know who
6 represents EOG. Do you know, Ms. McLean?

7 MS. MCLEAN: Probably just -- probably
8 just Ms. Kessler. Ms. Kesler, I think.

9 THE HEARING OFFICER: Okay. I don't
10 see Ms. Kessler here. Ms. Kessler, are you with us?

11 Go ahead, Ms. McLean.

12 MS. MCLEAN: Okay. Thank you. For
13 this one, at the last hearing, Mr. McClure asked that
14 we submit two C-102s for the well because it is in two
15 pools. Spur did submit the amended exhibit packet to
16 include a new Exhibit A-2 on July 27th. And so, I
17 would ask that these exhibits be admitted into the
18 record and that the case be taken under advisement.

19 MR. EVERHART: No objection from Riley.

20 THE HEARING OFFICER: Okay. Without
21 objection.

22 Mr. McClure, I see a note here about
23 Exhibit C-2?

24 MR. MCCLURE: Yeah. That's correct.
25 Mr. Hearing Examiner, the applicant was asked to

1 correct a issue with their notice spreadsheet. They
2 failed to do so. However, we do have verbal testimony
3 from them in regards to when written notice was
4 provided. So assuming that we're good with using that
5 verbal testimony, then we should be fine to take the
6 case under advisement.

7 THE HEARING OFFICER: We're -- we are
8 definitely good with taking that testimony as
9 evidence, unless there is conflicting evidence in the
10 exhibits.

11 MR. MCCLURE: Mr. Hearing Examiner,
12 there's not conflicting evidence within the exhibits.
13 One of the -- the first column was duplicated into the
14 second column. So it's not that there's conflicting
15 information, it's just the information was mistakenly
16 not provided.

17 THE HEARING OFFICER: Perfect.

18 So, Ms. McLean, we'll take this case
19 under advisement.

20 (Exhibit 12, Exhibit 13, and Exhibit 14
21 were marked for identification.)

22 MS. MCLEAN: Thank you.

23 THE HEARING OFFICER: Thank you.

24 Let's move on to number 6. This is a
25 Spur Energy Partners.

1 Ms. McClean, is this your case too?

2 MS. MCLEAN: Correct. Yes.

3 THE HEARING OFFICER: All right. It is
4 25454.

5 MS. MCLEAN: Thank you. In this case,
6 we do need to present the entire case

7 THE HEARING OFFICER: Go right ahead.

8 MS. MCLEAN: In case number 25454, Spur
9 seeks an order pooling all uncommitted interests in
10 the San Andres formation underlying a 160-acre, more
11 or less, standard horizontal spacing unit comprised of
12 the north half, south half of Section 29, Township 17
13 South, Range 28 East in Eddy County. And this unit
14 will be dedicated to the Smithdale C Federal Com 110H
15 well.

16 We submitted exhibits from Ms. Bradley
17 and Mr. Van Wie for land and geology, who have been
18 previously admitted to testify as experts before the
19 Division. And we have the notice testimony exhibits
20 that show that notice was timely sent on June 18th and
21 publication was made June 21st. With that, I ask that
22 the exhibits be admitted for case number 25454 and
23 that the case be taken under advisement.

24 THE HEARING OFFICER: Thank you.

25 Without objection, were there any --

1 MS. BRADFUTE: Mr. Examiner, you didn't
2 call for entries of appearance in the case?

3 THE HEARING OFFICER: That's what I was
4 about to ask. Were there any other parties that had
5 objected to this? Did you object?

6 MS. BRADFUTE: No. We did not object,
7 but I wanted to note the entry of Longfellow Energy
8 Partners, LP, to preserve their rights in case they
9 want to pursue --

10 THE HEARING OFFICER: Perfect. Okay.
11 Perfect.

12 MR. EVERHART: Likewise, Mr. Hearing
13 Examiner, on behalf of Riley Permian Operating, just
14 monitoring purposes only. No objections.

15 THE HEARING OFFICER: Had Riley
16 objected at one point?

17 MR. EVERHART: No, sir.

18 THE HEARING OFFICER: Ms. McLean, why
19 was this case on this docket? I thought this was just
20 for contested cases?

21 MS. MCLEAN: This one was also -- the
22 exhibits weren't reviewed in time for the July 10th
23 hearing, so that's why we're here.

24 THE HEARING OFFICER: I see. Okay.
25 Perfect. So your exhibits are admitted.

1 (Exhibit 15, Exhibit 16, and Exhibit 17
2 were marked for identification.)

3 MS. MCLEAN: Thank you.

4 THE HEARING OFFICER: Mr. McClure, any
5 questions for the witnesses?

6 MR. MCCLURE: No questions, Mr. Hearing
7 Examiner.

8 THE HEARING OFFICER: This case is
9 taken under advisement.

10 MS. MCLEAN: Thank you.

11 THE HEARING OFFICER: -- number 7,
12 25220 -- no, we've done 7 and 8 already. Let's move
13 on to number 9. This is COG Operating, 25440.

14 MR. FELDEWERT: Good morning,
15 Mr. Examiner. Michael Feldewert with the Santa Fe
16 office of Holland & Hart on behalf of the applicant.
17 And I believe you're going to hear these with cases
18 25441, 25442, and 25443.

19 THE HEARING OFFICER: So I'm calling
20 those cases as well.

21 MS. HARDY: And, Mr. Examiner, Dana
22 Hardy with Hardy McLean on behalf of Devon Energy
23 Production, and no -- no objection.

24 THE HEARING OFFICER: Had you objected?

25 MS. HARDY: These cases initially,

1 Devon had filed competing applications, and Paloma
2 also had competing applications, but those two sets
3 have been dismissed, so no objection at this point.

4 THE HEARING OFFICER: Perfect. Thank
5 you.

6 MR. FELDEWERT: Mr. Examiner, these
7 cases involve the continued development of the Bone
8 Spring formation and the initiation of development
9 under the Wolfcamp formation under Sections 20 and 29,
10 and 23 South, 34 East, down there in Lea County. The
11 Bone Spring cases 24440 -- and I'm sorry, 25440 and
12 25441.

13 First off, there's a -- there are
14 current Bone Spring spacing units in these sections.
15 So we are seeking approval of the overlapping spacing
16 units. There's also an ownership depth severance in
17 the Bone Spring formation. That's why 25440 pool is
18 above the base of the first Bone Spring, and 25441
19 pool is below the base of the first Bone Spring.

20 And we also have, in those cases,
21 approval of a non-standard 1280-acre spacing unit for
22 deficient development of two-mile wells. This will
23 avoid -- this will allow efficient well spacing, avoid
24 unnecessary NSLS, and reduce the surface use.

25 The Wolfcamp cases, which is 25442 and

1 25443, are more straightforward. They seek approval
2 of standard 640-acre horizontal spacing units for two-
3 mile standup wells using proximity tract wells. What
4 you'll see from this case is that we filed an amended
5 set of exhibits this week to supply the Form C-102s.

6 Unfortunately, we're still waiting on
7 the pool and the pool codes for these -- these
8 particular -- these wells. So we're going to have to
9 supplement when those pool and pool codes come
10 available, unless Mr. McClure can tell us today what
11 they are. Other than that our -- our exhibit packets
12 are based -- are all basically the same.

13 They contain the self-affirmed
14 statement of Michael Monju, who's a landman, who's
15 previously testified. And he goes through all of the
16 sub-exhibits that he's provided. Then we have the
17 self-affirmed statement of Ben Breyman, who's a
18 geologist, who has also previously testified before
19 this Division. And he provides both the standard
20 exhibits for the Bone Spring formation and the
21 Wolfcamp formation.

22 And then each packet is our Exhibit C
23 and Exhibit D, which is our self-affirmed statement of
24 notice, and then the affidavit of publication. So we
25 would ask that these exhibits be admitted, recognizing

1 that we're going to need to supplement the C-102s to
2 provide the pool and pool code.

3 THE HEARING OFFICER: Okay. Thank you.
4 So your exhibits in all four cases are admitted into
5 evidence without objection.

6 (Exhibit 18 through Exhibit 21 were
7 marked for identification.)

8 When it comes to your letters, when
9 were they sent out?

10 MR. FELDEWERT: So if you look at
11 Exhibit C, the letters were sent out on June 20th.

12 THE HEARING OFFICER: Is that timely?

13 MR. FELDEWERT: Yeah.

14 THE HEARING OFFICER: All right.

15 MR. FELDEWERT: And then our notice of
16 publication was -- time was back in June as well.

17 THE HEARING OFFICER: Okay. Perfect.
18 Thank you. All right. Are your witnesses available?

19 MR. FELDEWERT: Yes, sir.

20 THE HEARING OFFICER: Okay.

21 Mr. McClure?

22 MR. MCCLURE: Mr. Hearing Examiner, I
23 do have questions for the landman.

24 THE HEARING OFFICER: Okay.

25 Can we get the landman on the screen?

1 MR. FELDEWERT: That would be Michael
2 Monju.

3 THE HEARING OFFICER: Oh, you're in
4 person. Would you have a seat and turn on the
5 microphones? It is the button on the right. Thank
6 you. Would you raise your right hand?

7 WHEREUPON,

8 MICHAEL MONJU,
9 called as a witness and having been first duly sworn
10 to tell the truth, the whole truth, and nothing but
11 the truth, was examined and testified as follows:

12 THE HEARING OFFICER: Thank you. Would
13 you state and spell your name for the record?

14 MR. MONJU: Michael Monju, M-O-N-J-U.

15 THE HEARING OFFICER: Okay. And
16 Mr. Feldewert announced that you had been previously
17 qualified as an expert by this Division, in what
18 field?

19 THE WITNESS: In land.

20 THE HEARING OFFICER: Land. Okay.

21 Mr. McClure.

22 CROSS-EXAMINATION

23 MR. MCCLURE: Thank you, Mr. Hearing
24 Examiner.

25 //

1 BY MR. MCCLURE:

2 MR. MCCLURE: Mr. Monju, I'm looking at
3 Exhibit A-3, specifically, the summary of tract
4 ownership and the amended exhibit packet for case
5 25440, listed on page --

6 THE HEARING OFFICER: Mr. McClure, give
7 a sec for Mr. Feldewert to bring up the exhibit on the
8 screen, because the witness doesn't have it.

9 MR. FELDEWERT: Do -- Mr. McClure,
10 which case was that?

11 MR. MCCLURE: I'm looking at case
12 25440, and that's page 43 of 88 in the amended exhibit
13 packet.

14 MR. FELDEWERT: Okay. Give me one
15 minute, share, and which page are you, sir?

16 MR. MCCLURE: Specifically, I'm on page
17 43. To be fair, this same question kind of applies
18 across all the different cases, but --

19 MR. FELDEWERT: Okay. I believe I have
20 it up now.

21 MR. MCCLURE: Yes, sir.

22 BY MR. MCCLURE:

23 MR. MCCLURE: Mr. Monju, do you see
24 where -- what Mr. Feldewert is sharing?

25 MR. MONJU: I do.

1 MR. MCCLURE: Okay. On that tract
2 ownership, just for the tract 1, for instance, where
3 you have the total of 0.25, please confirm for me that
4 this is a percentage of the whole unit; is that
5 correct? How that's laid out?

6 MR. MONJU: That's correct.

7 MR. MCCLURE: Okay. Thank you.

8 Mr. Feldewert, if you could scroll down
9 just a little bit to the yellow highlighted parties at
10 the bottom and the totals.

11 BY MR. MCCLURE:

12 MR. MCCLURE: Mr. Monju, if you could
13 just confirm for me those highlighted parties there,
14 those are -- that's depicting which person's -- the
15 applicant's requesting the Division to force pool; is
16 that correct?

17 MR. MONJU: Correct.

18 MR. MCCLURE: Okay. Let me scroll down
19 on my notes through the other three cases real fast.

20 Thank you, Mr. Monju.

21 Mr. Hearing Examiner, I have no further
22 questions, but I do have some requests for
23 Mr. Feldewert.

24 THE HEARING OFFICER: Okay. Do you
25 want to tell him by case number what you need?

1 MR. MCCLURE: Yeah. I mean, it -- it
2 slightly deviates between the cases, so that may be
3 the -- the most ideal for sure.

4 THE HEARING OFFICER: Okay. And before
5 you do that, Mr. Feldewert, do you have any redirect
6 for this witness?

7 MR. FELDEWERT: I do not.

8 THE HEARING OFFICER: All right. Thank
9 you, sir. Thanks for your appearance.

10 MR. MONJU: Sure.

11 THE HEARING OFFICER: Mr. McClure, go
12 right ahead.

13 MR. MCCLURE: Mr. Feldewert, I'm
14 looking at case 25440.

15 MR. FELDEWERT: Okay.

16 MR. MCCLURE: In this particular case,
17 there's actually two different Bone Spring pools. Let
18 me actually bring up the case file right there.

19 MR. FELDEWERT: Well, no wonder we
20 couldn't figure this out.

21 MR. MCCLURE: Yeah. There's like a
22 hearing order that established the pool -- well,
23 regardless, in Section 20, the pool code is 2209.
24 This is the Antelope Ridge Bone Spring, West. I think
25 it may be the one you actually have included

1 currently. Yeah. This is the one you have included,
2 currently. However, in Section 29, the correct pool
3 is pool code 5130 and that's the Bell Lake Bone
4 Spring.

5 MR. FELDEWERT: So then when we file
6 our supplement to the hearing package, we'll file two
7 C-102s for each spacing unit, allocating out the
8 acreage to each pool.

9 MR. MCCLURE: Exactly. So -- and then
10 on the CPAC, we'll just need to include both pools in
11 that column pool name and pool code.

12 MR. FELDEWERT: Oh, I got you on a
13 compulsory pooling checklist.

14 MR. MCCLURE: Yes, sir. That's
15 correct.

16 MR. FELDEWERT: Okay.

17 MR. MCCLURE: In addition to that, for
18 this case, you have the formation name or vertical
19 extent that's at the top of that formation pool
20 category in the compulsory pooling administrative
21 checklist. Do you see where I'm referring to
22 Mr. Feldewert?

23 MR. FELDEWERT: Run that by me again?

24 MR. MCCLURE: Oh, the formation name or
25 vertical extent.

1 MR. FELDEWERT: Okay.

2 MR. MCCLURE: It's just a couple of
3 fields above where the pool name and pool code is.

4 MR. FELDEWERT: Yeah.

5 MR. MCCLURE: In this case, you have it
6 listed as the Upper Bone Spring formation. Do you see
7 what I'm referring to?

8 MR. FELDEWERT: Yeah. Which made sense
9 to me.

10 MR. MCCLURE: Well, it's unfortunately,
11 it's incorrect. The Upper Bone Spring pool is from
12 the top -- or excuse me, the Upper Bone Spring
13 formation is from the top of the Bone Spring to the
14 top of the first Bone Spring sand. So that extent
15 that you have listed there does not include everything
16 you're asking to -- or that the applicant is asking to
17 be force pooled.

18 So we'll need to correct that to
19 ideally to say Bone Spring formation, but just
20 anything that represents both the Bone Spring one and
21 the Avalon.

22 MR. FELDEWERT: Oh, I see. So you're
23 saying that the terminology -- I have it up now.
24 Upper Bone Spring formation does not include the
25 Avalon?

1 MR. MCCLURE: The upper Bone Spring
2 formation does not include the first Bone Spring.

3 MR. FELDEWERT: Okay.

4 MR. MCCLURE: It includes just the
5 Avalon.

6 MR. FELDEWERT: Would you like -- so to
7 make it simple, should I just put Bone Spring
8 formation?

9 MR. MCCLURE: That would probably be
10 the easiest solution.

11 MR. FELDEWERT: Will do. Okay.

12 MR. MCCLURE: And that's everything for
13 that case. Moving on to case 25441, this has the same
14 pool issue that we just referred to in regards to the
15 Section 20, versus Section 29. Do you want me to
16 rehash it or are you good with your notes,
17 Mr. Feldewert?

18 MR. FELDEWERT: I got it.

19 MR. MCCLURE: Okay. Very good. Yeah.
20 That's -- that's just the exact same corrections on
21 this one. So there's nothing further on 25441 versus
22 what was in 25440. Moving on to case 25442. There's
23 an incorrect pool listed here. Let me bring up the
24 case file to give you the correct pool. Okay. The
25 correct pool for this is a Wildcat Wolfcamp a lot of

1 numbers and letters. I'm not going to speak it out,
2 but the pool code is 97965.

3 MR. FELDEWERT: So if I go to the
4 Division's website and go put in the pool code, it'll
5 have the Wildcat pool terminology?

6 MR. MCCLURE: Yeah. That was quite
7 literally, I guess, what my question was going to be
8 because I will spell it out, but --

9 MR. FELDEWERT: You don't need to.

10 MR. MCCLURE: -- if you're familiar
11 with that process you just laid out, then that might
12 be the easiest way.

13 MR. FELDEWERT: Agree.

14 MR. MCCLURE: Okay. Very good. And in
15 this particular case, we're just going to need to
16 amend the CPAC, the compulsory pooling administrative
17 checklist, to include the correct pool and then the
18 amended form C-102s.

19 MR. FELDEWERT: Certainly.

20 MR. MCCLURE: And moving on to case
21 25443. It has the same pool issues as 25442. Are you
22 fine with your notes, Mr. Feldewert, or do you want me
23 to rehash them out?

24 MR. FELDEWERT: I'm fine with my notes.
25 Thank you.

1 MR. MCCLURE: That sounds good.
2 There's just one additional thing here. I don't know
3 if it's an issue with the PDF that was uploaded, but
4 it appears to be missing your signature on the CPAC.
5 So when you resubmit that, if you could just make sure
6 to include that?

7 MR. FELDEWERT: Got it.

8 MR. MCCLURE: Okay. Thank you,
9 Mr. Feldewert.

10 Thank you, Mr. Hearing Examiner. I have
11 nothing further for these four cases.

12 THE HEARING OFFICER: So do you want to
13 bring these back to review the information in the
14 future?

15 MR. MCCLURE: To be consistent with how
16 we've started doing it, that would be the ideal path.

17 THE HEARING OFFICER: When is the next
18 docket that we can put these on, August 7th?

19 MR. MCCLURE: Are you asking me,
20 Mr. Hearing Examiner?

21 THE HEARING OFFICER: I am. I am, yes.

22 MR. MCCLURE: Oh, yeah. Yeah. I
23 think -- I think we should do it on August 7th.

24 THE HEARING OFFICER: Okay.

25 MR. MCCLURE: I don't think that'll be

1 a big deal.

2 THE HEARING OFFICER: All right.

3 Freya, do we have room, August 7th?

4 MS. TSCHANTZ: We do.

5 THE HEARING OFFICER: Excellent.

6 Mr. Feldewert, would you continue these
7 to August 7th, so we can wrap them up?

8 MR. FELDEWERT: I will certainly do
9 that. Thank you.

10 THE HEARING OFFICER: All right. Thank
11 you.

12 Mr. Feldewert, anything further on
13 these four cases?

14 MR. FELDEWERT: No, sir.

15 THE HEARING OFFICER: All right. Thank
16 you, sir.

17 Moving on to case 13. This is Admiral
18 Permian Operating, 25335, and let me see if there's
19 any -- yes, 25336. Entries, please?

20 MS. MCLEAN: Yes. Good morning.
21 Jackie McClean on behalf of Admiral.

22 THE HEARING OFFICER: Thank you.

23 MR. BRUCE: Mr. Examiner, Jim Bruce, on
24 behalf of MRC Permian Company.

25 THE HEARING OFFICER: Thank you, sir.

1 Did you withdraw your objection?

2 MR. BRUCE: Yes.

3 THE HEARING OFFICER: All right. Thank
4 you.

5 MR. BRUCE: -- record.

6 MS. MCLEAN: And we are also
7 representing COG Operating, Concho Oil & Gas, and COG
8 Production in these cases as well.

9 THE HEARING OFFICER: You're
10 representing COG and Admiral?

11 MS. MCLEAN: Correct.

12 THE HEARING OFFICER: Perfect.

13 MS. MCLEAN: Yes.

14 THE HEARING OFFICER: Thank you. You
15 want to proceed?

16 MS. MCLEAN: Yes. Thank you. In these
17 cases, Admiral seeks to pool the Bone Spring and
18 Wolfcamp formations in Sections 5 and 6, Township 24
19 South, Range 27 East, in Eddy County. And Admiral
20 will dedicate these spacing units to the War Pigeon
21 Fed Com wells. With its Bone Spring application case
22 number 25335, Admiral seeks approval of a non-standard
23 spacing unit, while the Wolfcamp application 25336 is
24 a standard proximity tract spacing unit.

25 The exhibits that were submitted by

1 Admiral for these cases include the land testimony and
2 corresponding exhibits of Hunter Hall, who has
3 previously testified before the Division and has been
4 accepted as an expert in petroleum land matters.

5 We've also included the geology
6 testimony exhibits of Jared Haynes Hammett, and Mr.
7 Hammett has not previously testified before the
8 Division. We've included a copy of his resume, and I
9 ask that he be admitted as an expert in petroleum
10 geology.

11 THE HEARING OFFICER: Can we bring him
12 on the camera?

13 MS. MCLEAN: I saw his name on there
14 earlier.

15 THE HEARING OFFICER: Hello? There we
16 go. Okay. It's a little hard to see you. I guess
17 just the bright background, maybe it's causing your
18 face to be dark. I can see you better now. Thank
19 you. All right. Would you raise your right hand,
20 please?

21 WHEREUPON,

22 JARED HAYNES HAMMETT,
23 called as a witness and having been first duly sworn
24 to tell the truth, the whole truth, and nothing but
25 the truth, was examined and testified as follows:

1 THE HEARING OFFICER: Okay. Would you
2 spell your name, please?

3 MR. HAMMETT: Jared Hammett.
4 J-A-R-E-D, Hammett, H-A-M-M-E-T-T.

5 THE HEARING OFFICER: And which field
6 are you seeking to be qualified before this Division
7 as an expert in?

8 MR. HAMMETT: Petroleum jelly.

9 THE HEARING OFFICER: Geology. Okay.
10 What education do you have going into that expertise?

11 MR. HAMMETT: I have a BS from West
12 Texas A&M University and a master's from the
13 University of Houston.

14 THE HEARING OFFICER: And when did you
15 achieve those?

16 MR. HAMMETT: 2003 and 2009.

17 THE HEARING OFFICER: Perfect. Okay.
18 And what work have you done? What experience do you
19 have in that field?

20 MR. HAMMETT: I've worked since 2003
21 for a variety of oil and gas companies, including our
22 Anadarko Petroleum, Plantation Petroleum, Admiral
23 Permian Resources.

24 THE HEARING OFFICER: Can you give me a
25 little more to go on?

1 MR. HAMMETT: I've done a variety of
2 work in geoscience related to oil and gas, mapped all
3 fields, correlated well logs, sequence stratigraphy
4 work, core descriptions, development plans,
5 operational geology, asset evaluations, and a variety
6 of other tasks.

7 THE HEARING OFFICER: And who do you
8 work for now?

9 MR. HAMMETT: Admiral Permian
10 Resources.

11 THE HEARING OFFICER: Okay. And what
12 is your title?

13 MR. HAMMETT: Geoscience manager.

14 THE HEARING OFFICER: Geoscience
15 Manager. Okay. And what are your duties now?

16 MR. HAMMETT: Oversee all operational
17 geology, geosteering, well operations on the
18 geoscience side, as well as all development planning
19 for new horizontal and unconventional developments.
20 We also screen and evaluate properties and evaluate
21 acquisitions and -- as well as do all types of
22 subsurface mapping.

23 THE HEARING OFFICER: All right. Thank
24 you, Mr. Hammett. That's sufficient information for
25 the Division to recognize you as an expert in

1 petroleum geology from here on in.

2 Ms. McLean, you were?

3 MS. MCLEAN: Yes. Thank you.

4 Finally, we have the notice testimony and exhibits
5 that show that the notice letter was sent back in
6 April and the affidavit of publication was for April
7 22, 2025. Happy to answer any questions that we might
8 have, and I ask that the exhibits be admitted for case
9 numbers 25335 and 25336 and that the cases be taken
10 under advisement.

11 THE HEARING OFFICER: All right. Thank
12 you.

13 Mr. Bruce?

14 MR. BRUCE: No questions.

15 THE HEARING OFFICER: You mean no
16 objections?

17 MR. BRUCE: No objection.

18 THE HEARING OFFICER: Thank you,
19 Mr. Bruce.

20 Okay. Without objection, Ms.
21 McLean -- and Mr. McClure, any questions for the
22 witnesses?

23 MR. MCCLURE: I have questions for the
24 landman, Mr. Hearing Examiner.

25 THE HEARING OFFICER: Well, thank you,

1 Mr. Hammett.

2 Can we get the landman on the screen?

3 MS. MCLEAN: Yes. Mr. Hall.

4 MR. HALL: I'm here.

5 THE HEARING OFFICER: I see you.

6 Please raise your right hand.

7 WHEREUPON,

8 HUNTER HALL,

9 called as a witness and having been first duly sworn

10 to tell the truth, the whole truth, and nothing but

11 the truth, was examined and testified as follows:

12 THE HEARING OFFICER: Please spell your

13 name.

14 MR. HALL: Hunter Hall. H-U-N-T-E-R

15 H-A-L-L.

16 THE HEARING OFFICER: And you've been

17 previously recognized as an expert before this

18 Division?

19 MR. HALL: I have.

20 THE HEARING OFFICER: In what field?

21 MR. HALL: Petroleum land matters.

22 THE HEARING OFFICER: Mr. McClure.

23 MR. MCCLURE: Thank you, Mr. Hearing

24 Examiner.

25 //

1 CROSS-EXAMINATION

2 BY MR. MCCLURE:

3 MR. MCCLURE: Mr. Hall, if I can direct
4 your attention to your Exhibit A-3, specifically, in
5 case 25335. This is on page 31 of 81.

6 MR. HALL: Okay. I'm there.

7 MR. MCCLURE: Okay. Do you see under
8 tract 1 where you have Matador Resource
9 Company/Federal Abstract Company?

10 MR. HALL: I do.

11 MR. MCCLURE: Can you describe for me
12 the relationship between Matador Resource Company and
13 Federal Abstract Company?

14 MR. HALL: Yes. This -- the interest
15 under the federal lease that is listed Federal
16 Abstract Company bid on behalf of Matador in the
17 February lease sale. Subsequently won the tract and
18 I -- and Mr. Bruce may have an understanding of this
19 further, but I'm not sure if the transfer of operating
20 rights has been done to Matador yet, but they bid --
21 Federal Abstract Company bid on behalf of Matador. So
22 we listed both with the understanding of -- of that.

23 MR. MCCLURE: Okay. So then is it
24 correct to say that they're not the same entity,
25 you're just not sure who is in possession or who's the

1 owner, I guess, of this working interest; is that
2 correct?

3 MR. HALL: Yes. That is correct. My
4 understanding currently is that the fed has not
5 processed the transfer of operating yet -- to
6 operating rights yet, but it has been submitted, so
7 that's the current status.

8 MR. MCCLURE: Okay. So then is it
9 accurate to say that the applicant Admiral in this
10 case is requesting the Division to force pool the
11 working interest in tract 1, one, be that either
12 Matatdor Resource Company or a Federal Abstract
13 Company?

14 MR. HALL: That is correct. And
15 both -- both parties have -- have been noticed
16 appropriately to my knowledge. Mr. McClure, are you
17 there?

18 MR. MCCLURE: Mr. Hall, yeah, I --

19 MR. HALL: Sorry. I was just making
20 sure we didn't skip out.

21 MR. MCCLURE: No. I'm still here,
22 Mr. Hall. I'm just reviewing my notes.

23 Mr. Hearing Examiner, I have no further
24 questions for either of these cases, but I am going to
25 have a request for one of the cases.

1 THE HEARING OFFICER: Which case?

2 MR. MCCLURE: That would be for case
3 25335.

4 THE HEARING OFFICER: 25335. Okay. So
5 does that mean we can take 25336 under advisement?

6 MR. MCCLURE: With the testimony that
7 we just received, yes, we can take 25336 under
8 advisement.

9 THE HEARING OFFICER: All right.
10 Perfect. Okay. 25335, what do you need?

11 MR. MCCLURE: Ms. McLean, on Exhibit
12 B-5, this should be the cross-section and the geology
13 exhibits.

14 MS. MCLEAN: I'm heading there right
15 now.

16 THE HEARING OFFICER: Is there a page
17 number, Mr. McClure?

18 MR. MCCLURE: For some reason, in my
19 notes, I did not include a page number.

20 MS. MCLEAN: Looks like page 53 of 81
21 of the exhibit packet.

22 MR. MCCLURE: That is correct,
23 Ms. McLean. On this exhibit, we were missing the well
24 name, number, and API number for each of those logs as
25 depicted. Do you see where I'm referring to?

1 MS. MCLEAN: Yes, I do.

2 MR. MCCLURE: If I were to request for
3 this exhibit to be read or for this exhibit packet to
4 be resubmitted with this amended to include those
5 three things, do you understand what I'm asking for?

6 MS. MCLEAN: Yes, sir.

7 MR. MCCLURE: Okay. I have nothing --,
8 nothing further, Mr. Hearing Examiner.

9 THE HEARING OFFICER: All right. Thank
10 you, Mr. McClure.

11 So, Ms. McLean, would you continue this
12 case to August 7th, so we can conclude it?

13 MS. MCLEAN: Yes, will do.

14 THE HEARING OFFICER: All right.
15 Perfect. Okay. So we are off the record in those two
16 cases. Let's move on to number 15 on our docket.
17 Number 15 is joining with other cases. These are
18 Matador Production Company's 25247 and 48, 50, 52, 53,
19 and 54. Entries, please?

20 MR. FELDEWERT: Good morning,
21 Mr. Examiner. Michael Feldewert, with the Santa Fe
22 office of Holland & Hart. I'm here appearing on
23 behalf of the applicant, MRC Permian Company.

24 THE HEARING OFFICER: All right. Thank
25 you.

1 MR. SAVAGE: Good morning, Mr. Hearing
2 Examiner. Good morning, Technical Examiner. Darin
3 Savage, with Abadie & Schill, appearing on behalf of
4 Alpha Energy Partners II, LLC.

5 THE HEARING OFFICER: Mr. Savage, did
6 you withdraw an objection?

7 MR. SAVAGE: We did.

8 THE HEARING OFFICER: Okay.

9 MS. HATLEY: Good morning,
10 Mr. Examiner. Keri Hatley, entering her appearance on
11 behalf of ConocoPhillips Company as well as Marathon
12 Oil Permian.

13 THE HEARING OFFICER: Thank you.

14 MR. BRUCE: Mr. Examiner, Jim Bruce
15 representing Mewbourne Oil Company.

16 THE HEARING OFFICER: Mr. Bruce, did
17 you withdraw your objection?

18 MR. BRUCE: Yes, sir.

19 THE HEARING OFFICER: Thank you. I
20 think that's all.

21 MR. FELDEWERT: I think so, too.
22 Mr. Examiner. These -- these cases involve the
23 development of the Bone Spring and Wolfcamp formations
24 under Sections 27, 28, and 29 of Township 22 South, 28
25 East in Eddy County. They seek -- the company seeks

1 to pool spacing units for proposed three-mile
2 horizontal wells.

3 The Bone Spring spacing units are 480-
4 acre lay down units, and then the Wolfcamp spacing
5 units are 960-acre lay down units because they're
6 within the Purple Sage, a gas pool subject to the
7 special pool rules. We filed separate hearing packets
8 in all six of these cases. The only issue that I
9 discovered was that the -- the working interest owners
10 and the tract maps, there was some discrepancy there.

11 When I looked at them, they weren't
12 matching up correctly. The company has informed me
13 this morning that they have been now corrected. We
14 can file them at any time. So that can be done today
15 if you'd like, or we can refile them for a later time.

16 Other than that the -- what you'll see
17 in each of these packets is the -- the usual
18 information including the self-affirmed statement of
19 Hanna Rhoades, who's a landman with the company that's
20 previously testified and then the self-affirmed
21 statement with Andrew Parker, who you are familiar
22 with, who's a geologist with the company, who has also
23 previously testified in a number of cases.

24 Each of them provide the usual exhibits
25 with their self-affirmed statements, and Mr. Parker

1 has both the information for the Bone Spring formation
2 and then also for the Wolfcamp formation in his
3 statements. Notice went out back in April, before
4 there was a lot of contention that we've since
5 resolved.

6 So with that, we would ask the
7 admission of the exhibits filed in each cases -- each
8 case. We are prepared to refile them to correct the
9 discrepancy in the tract maps and would like the
10 matter taken under advisement at the appropriate time.

11 THE HEARING OFFICER: Thank you,
12 Mr. Feldewert. So your exhibits are admitted in these
13 six cases without objection.

14 (Exhibit 22 through Exhibit 25 were
15 marked for identification.)

16 I'm going to turn to Mr. McClure.
17 Mr. McClure, questions for the
18 witnesses?

19 MR. MCCLURE: Yes. Mr. Hearing
20 Examiner, I'm going to have questions for the landman.

21 THE HEARING OFFICER: Just the landman.
22 All right.

23 Mr. Feldewert, I'd like to take a five-
24 minute break while you get your landman --

25 MR. FELDEWERT: Certainly

1 THE HEARING OFFICER: -- on the screen.
2 MR. FELDEWERT: Yep.
3 THE HEARING OFFICER: And then, we'll
4 continue.
5 MR. FELDEWERT: Looks like Hanna is
6 there, and we'll come back to her in five minutes.
7 THE HEARING OFFICER: Thank you.
8 (Off the record.)
9 THE HEARING OFFICER: All right. We're
10 back on the record. It's 10:41 a.m.
11 Mr. Feldewert, you said your landman's
12 name is what?
13 MR. FELDEWERT: Hanna Rhoades.
14 THE HEARING OFFICER: Perfect. Okay.
15 Would you raise your right hand, please?
16 WHEREUPON,
17 HANNA RHOADES,
18 called as a witness and having been first duly sworn
19 to tell the truth, the whole truth, and nothing but
20 the truth, was examined and testified as follows:
21 THE HEARING OFFICER: Excellent. What
22 is your name?
23 MS. RHOADES: Hanna Rhoades.
24 THE HEARING OFFICER: Would you spell
25 that?

1 MS. RHOADES: Hanna, H-A-N-N-A,
2 Rhoades, R-H-O-A-D-E-S.

3 THE HEARING OFFICER: Okay. Perfect.
4 And you've been previously recognized as an expert by
5 this Division?

6 MS. RHOADES: That's right.

7 THE HEARING OFFICER: In what field?

8 MS. RHOADES: Land.

9 THE HEARING OFFICER: Mr. McClure.

10 MR. MCCLURE: Thank you, Mr. Hearing
11 Examiner.

12 CROSS-EXAMINATION

13 BY MR. MCCLURE:

14 MR. MCCLURE: Ms. Rhoades, it's a
15 possibility this may fall under the corrections that
16 you're already making, but if I can direct your
17 attention in case 25252 to your exhibit A-3, which is
18 the summary of interest, page 20 of 51.

19 MR. FELDEWERT: Give me one minute,
20 Mr. McClure, to get the right case up here, 25252?

21 MR. MCCLURE: 25252. That's correct,
22 Mr. Feldewert.

23 MR. FELDEWERT: And the summary of
24 interest?

25 MR. MCCLURE: Yes, sir.

1 MR. FELDEWERT: Page 20 of 51?
2 MR. MCCLURE: Yes, sir.
3 MR. FELDEWERT: I think we're there.
4 MR. MCCLURE: Yep. Looks like.
5 BY MR. MCCLURE:
6 MR. MCCLURE: Ms. Rhoades, are you with
7 us with what Mr. Feldewert is sharing here?
8 MS. RHOADES: Yes, sir.
9 MR. MCCLURE: Now, on this list, it
10 appears that Marathon Oil Permian, LLC is listed as
11 being an uncommitted working interest owner; is that
12 correct?
13 MS. RHOADES: Yes.
14 MR. FELDEWERT: Mr. McClure, I think --
15 MR. MCCLURE: Am I back?
16 MR. FELDEWERT: Yeah. I think we lost
17 you for a moment.
18 MR. MCCLURE: Yeah. But you guys can
19 hear me now; is that correct?
20 MR. FELDEWERT: We can hear you now.
21 MR. MCCLURE: Okay. Very good. Yeah,
22 I have no idea what happened to my internet, but it
23 appears to have been out for about 30 seconds there.
24 Hopefully it don't happen again.
25 //

1 BY MR. MCCLURE:

2 MR. MCCLURE: Ms. Rhoades, did you hear
3 the entirety of my question, or was I interrupted?

4 MS. RHOADES: No, sir. If you can
5 repeat again, sorry.

6 MR. MCCLURE: Yes. Yes, ma'am. On
7 page 20 of 51, it appears that Marathon is listed as
8 being an uncommitted working interest owner. Do you
9 see where I'm referring to?

10 MS. RHOADES: Yes, sir.

11 MR. MCCLURE: Now, if we scroll down to
12 page -- the next page down, page 21 of 51, under tract
13 1, is listing Marathon as being a committed working
14 interest owner. Is that an error, or is Marathon
15 committed?

16 MS. RHOADES: So we have them committed
17 via a letter of support. With these cases, there are
18 some tracts where -- where Alpha and Mewbourne are
19 claiming to have taken a lease where Marathon would
20 not -- would no longer be a working interest owner
21 under that lease.

22 And so I've listed them, we've noticed
23 the -- the preexisting working interest owners prior
24 to Alpha and Mewbourne's lease, but we included
25 Marathon and the others on the pooled list just in

1 case, you know, that -- of not being true. So I've
2 listed them as needing to be pooled, but we have them
3 technically committed under a letter of support.

4 MR. MCCLURE: Okay. I guess I'm not
5 sure if I understand your answer. Are you saying that
6 Marathon no longer owns the interest?

7 MS. RHOADES: So in tract 3, which
8 would be the south half of the Southwest corner of
9 Section 29, and they -- Marathon owns other tracts
10 outside of this specific tract. But in this tract,
11 specifically, there's a question of whether a lease
12 has been taken by Alpha and Mewbourne or if Marathon
13 would still technically be a working interest owner
14 under that specific lease, the pre-existing lease.

15 So I have them listed, in case that
16 ends up not being true. There's nothing filed of
17 record of this lease. We have just -- we were warned,
18 or, you know, made aware of this by Mewbourne. And
19 so, technically, I just have them listed on here. But
20 we do have Marathon as a committed owner under a
21 letter of support.

22 I hope that makes a little bit more
23 sense, but I -- we tried to -- we -- we're still in
24 conversations with Marathon, Mewbourne, and Alpha kind
25 of regarding the specific tracts and these leases

1 taken now.

2 MR. MCCLURE: Ms. Rhoades, you
3 referenced tract 3, but that appears -- that tract
4 appears to be missing, I guess, from this summary of
5 interest here; is that correct?

6 MS. RHOADES: Yes, sir. That's
7 correct. So I guess on the ones where we've listed
8 Marathon, we technically listed them as a committed
9 working interest owner, but as a letter of
10 support -- under a letter of support, but we've listed
11 them as uncommitted.

12 I think, with Conoco also merging, I
13 think we're just wanting to make sure to cover all of
14 our bases under this letter of support with that being
15 signed by -- via Marathon.

16 MR. MCCLURE: Is it accurate to say
17 that tract 3 is missing from this summary of interest
18 and that it should be included?

19 MS. RHOADES: No, sir. I think the
20 tract 3 would not be on this specific unit. No. It
21 would only be in the case where it includes the south
22 half, south -- which would be the case of our Warrior
23 124.

24 MR. MCCLURE: Okay. So then your
25 nomenclature for your tracts takes into account all of

1 these cases rather than this specific case; is that
2 accurate to say?

3 MS. RHOADES: That's accurate. Yes,
4 sir.

5 MR. MCCLURE: Okay. Now you referenced
6 a letter of intent as qualifying Marathon to be
7 considered to be committed; is that correct?

8 MS. RHOADES: Yes, sir.

9 MR. MCCLURE: So you are considering
10 them to be committed, and yet you are requesting the
11 Division to force pool them; is that correct?

12 MS. RHOADES: Right. We're considering
13 them as committed under the letter of support, but in
14 the event in some tracts, specifically the south half
15 of the southwest quarter, in case they are no longer
16 under lease, we wanted to make sure and just mention
17 that we notified these -- this party along with others
18 that would have previously been under that specific
19 lease.

20 MR. MCCLURE: So is it accurate to say
21 that Marathon has not signed a JOA at this time?

22 MS. RHOADES: That's correct.

23 MR. MCCLURE: Is it accurate to say
24 that they may not sign a JOA in the future?

25 MS. RHOADES: That's correct.

1 MR. MCCLURE: And yet, Ms. Rhoades, you
2 would consider them to be committed to this unit?

3 MS. RHOADES: Under the letter of
4 support, yes, sir. But we are also continuing
5 conversations with them regarding voluntary joinder
6 further from the letter of support via joint operating
7 agreement or -- or some sort of a different avenue,
8 but still continuing to reach further voluntary
9 joinder.

10 MR. MCCLURE: For each of these cases,
11 is it accurate to say that Marathon was provided
12 notice of the application and this case?

13 MS. RHOADES: Yes, sir.

14 MR. MCCLURE: Okay. Thank you,
15 Ms. Rhoades. If I can now direct your attention --
16 oh, I guess one page further down, page 22 of 51. It
17 appears to be a list of overriding royalty interest
18 owners that the applicant's requesting the Division to
19 force pool.

20 MS. RHOADES: Yes, sir.

21 MR. MCCLURE: Is it accurate to say
22 that this is a list of overriding royalty interests
23 owners that the applicant's requesting the Division to
24 force pool?

25 MS. RHOADES: Yes, sir.

1 MR. MCCLURE: Were each of these
2 overriding royalty interest owners provided notice of
3 this application the case?

4 MS. RHOADES: Yes, sir.

5 MR. MCCLURE: In the instance of Teresa
6 H. Jolliff, can you provide me with the tracking
7 number under which notice was provided to this person?

8 MS. RHOADES: Yes, sir. I don't have
9 that with me right now. We can follow up with that.

10 MR. MCCLURE: And it should -- it
11 should be in the exhibit packet; is it not?

12 MS. RHOADES: I'm not aware of it being
13 in the exhibit packet, the tracking number, but I --
14 I'm sure we can follow up with you on it, if it's not.

15 MR. MCCLURE: Ms. Rhoades, if I can
16 draw your attention to the notice spreadsheet. I
17 guess the page where this person should show up would
18 be on page 49 of 51.

19 MR. FELDEWERT: So, Mr. McClure, is
20 your concern that when you look at pages 43 to 49 of
21 51, that -- that particular individual does not show
22 up?

23 MR. MCCLURE: Mr. Feldewert, that is
24 correct.

25 MR. FELDEWERT: Okay. Then we will

1 need to look into that, although I -- I got a question
2 about that when at the appropriate time.

3 MR. MCCLURE: And we may be drawing
4 close to that appropriate time. I just have a few, I
5 mean, one -- one maybe more questions, I guess, for
6 Ms. Rhoades real fast.

7 BY MR. MCCLURE:

8 MR. MCCLURE: Ms. Rhoades, are you
9 aware of like any other name that this person might
10 appear as within the notice spreadsheet, or should it
11 be Teresa?

12 MS. RHOADES: I think it -- it should
13 be Teresa, but I would, I think, it should be under
14 Teresa. I would like to -- to double-check this
15 exhibit as well. I was aware that we would've noticed
16 her for this party.

17 MR. MCCLURE: Oh, go ahead, ma'am. Go
18 ahead.

19 MS. RHOADES: I think we -- it
20 would -- I would assume it would be under Teresa, but
21 I'm not aware of any other name.

22 MR. MCCLURE: Okay. Mr. Hearing
23 Examiner, I don't have any further for Mr. Rhoades,
24 unless we want to go case by case and identify each of
25 the overriding royalty interest owners, which seems to

1 have not been provided notice based upon the notice
2 spreadsheet for each case.

3 THE HEARING OFFICER: Okay. Thank you.
4 Mr. Feldewert, is there a more
5 efficient way to do this?

6 MR. FELDEWERT: Certainly, I think the
7 issue is -- as I understand it, is associated with
8 Teresa H. Jolliff, which is something we will look
9 into.

10 DIRECT EXAMINATION

11 BY MR. FELDEWERT:

12 MR. FELDEWERT: And, Ms. Rhoades, do
13 you know, and I know this is tough for you off the top
14 of your head, but this person is an overriding royalty
15 interest owner. Do you know if the company has a
16 valid address for Ms. Jolliff?

17 MS. RHOADES: I'm not aware if we were
18 given one through title, but we typically will try to
19 find our best guess and best faith effort to attempt
20 to locate and address using various sources online.
21 So I'm not aware of one right now.

22 MR. FELDEWERT: Okay. And we
23 would've -- and she is included, I believe, in the
24 notice of publication at the very least?

25 MS. RHOADES: Yes, sir.

1 MR. FELDEWERT: Okay. Then there's
2 some questions about the term committed --
3 uncommitted, perhaps some confusion there. When I
4 look at the compulsory pooling list on page 20 of 51,
5 in that exhibit, you have identified the parties that
6 need to be polled; correct? Did we -- are you still
7 there?

8 MS. RHOADES: Yes, I can you.

9 MR. FELDEWERT: Okay. So page 20 of
10 51, which I have up on the screen, this is the
11 ownership by spacing unit; correct?

12 MS. RHOADES: That's correct.

13 MR. FELDEWERT: All right. And you
14 have highlighted in there the parties that need to be
15 pooled?

16 MS. RHOADES: Yes, sir.

17 MR. FELDEWERT: Which means from a
18 legal perspective, they're not yet committed to a
19 voluntary agreement for the spacing unit?

20 MS. RHOADES: Yes, sir.

21 MR. FELDEWERT: All right. And you are
22 still negotiating with, for example, Marathon, which
23 is now ConocoPhillips, to reach a joint operating
24 agreement?

25 MS. RHOADES: Yes, sir.

1 MR. FELDEWERT: Okay. And knowing that
2 this was going to be a contested case, you had
3 obtained information that Marathon or ConocoPhillips
4 was actually in support of your development plan?

5 MS. RHOADES: Yes, sir.

6 MR. FELDEWERT: Okay. And perhaps
7 maybe that's why there was some confusion as to
8 whether they were committed or uncommitted?

9 MS. RHOADES: Yes, sir.

10 MR. FELDEWERT: And will that be
11 corrected with the filed exhibits -- or exhibits that
12 will be filed shortly addressing not only this
13 exhibit, but the -- the tracts?

14 MS. RHOADES: Yes, sir. This will be
15 correct.

16 MR. FELDEWERT: Okay. Great. That's
17 all the questions.

18 THE HEARING OFFICER: Okay. So,
19 Mr. McClure, do you have a list of information that
20 you want submitted?

21 MR. MCCLURE: Yes. But I do have some
22 questions for Mr. Feldewert, if I may.

23 THE HEARING OFFICER: Sure. Go ahead.

24 MR. MCCLURE: Mr. Feldewert, I only
25 brought up Teresa as an example, but there are

1 numerous overriding royalty interest owners spread
2 across, I believe, all of these cases that does not
3 show up on the notice spreadsheet. Is it your thought
4 that addresses were not available for each of these
5 individuals, and that's why they don't show up in the
6 notice spreadsheet?

7 MR. FELDEWERT: I don't have a thought
8 on that, to be honest with you. This was something
9 that -- that neither I or the company observed, but I
10 can -- we will certainly commit to taking a look at
11 that, cross-checking it, and then filing whatever
12 additional information is necessary to address it,
13 assuming there's an issue.

14 MR. MCCLURE: Okay. Yeah. I was going
15 to say, I would -- we're going to need to see
16 something that confirms that the applicant had made a
17 good faith effort to locate these individuals and that
18 written notice was provided to them. Or I guess if
19 written -- if an address couldn't be found after a
20 good faith effort, if you can provide the list of
21 those individuals as well.

22 MR. FELDEWERT: I can certainly do
23 that.

24 MR. MCCLURE: Okay. And that's across
25 all of the cases, is what it appears. And is it your

1 intent to -- or the applicant's or your intent to
2 review each and every single one of these cases for
3 this same issue?

4 MR. FELDEWERT: If you -- if you're
5 concerned that there's an issue, then yes, we will
6 take a look at that.

7 MR. MCCLURE: Okay. Thank you. Yeah.
8 We'll need to, because I used this case as an example,
9 but I know of at least the two other cases that also
10 have this issue, not necessarily with this person, but
11 with persons on that list.

12 MR. FELDEWERT: Okay.

13 MR. MCCLURE: Mr. Feldewert, I guess
14 for my own information, what would you consider to be
15 committed legally in one -- in a CP case?

16 MR. FELDEWERT: You're asking for my
17 legal conclusion?

18 MR. MCCLURE: May I do you so,
19 Mr. Hearing Examiner?

20 THE HEARING OFFICER: You can. You can
21 ask him anything you want, if he wants to answer it.
22 He's pretty crafty, though. He may not answer it.

23 MR. FELDEWERT: Mr. McClure, I -- I --
24 we certainly recognize the obligation to pool a party
25 who is not voluntarily committed to the spacing unit.

1 To the extent that there's any confusion in the
2 exhibits about whether they are voluntarily committed
3 to an agreement or whether they need to be pooled,
4 that is something we will address, and it would appear
5 that the term committed or uncommitted may have caused
6 some confusion here.

7 MR. MCCLURE: Okay. Yeah. I was -- I
8 guess I -- I don't need to provide additional context
9 to the reason I was asking, but this is a topic of
10 interest, I guess --

11 MR. FELDEWERT: I understand.

12 MR. MCCLURE: -- of what we're looking
13 at. But in these particular cases, though, I was just
14 looking at confirming what was going on with
15 these -- with the summary interest tables to confirm.
16 I had an understanding, though. Let me confirm my
17 notes. I believe there was some additional things I'm
18 going to need from you, Mr. Feldewert. In case 25250,
19 on the compulsory pooling administrative checklist,
20 Mr. Feldewert?

21 MR. FELDEWERT: Yes.

22 MR. MCCLURE: It appears that it's
23 listed as oil, are you recalling off the top of your
24 head what I'm referring to?

25 MR. FELDEWERT: Do you mean the product

1 that's going to be produced?

2 MR. MCCLURE: Yes. Let me actually
3 bring it up so I can --

4 MR. FELDEWERT: Yeah. Let me -- do you
5 want -- you want me to bring it up?

6 MR. MCCLURE: If it -- if it would make
7 it easier for everybody to see what we're talking
8 about, that may be the best, I suppose.

9 MR. FELDEWERT: You're talking about
10 25250; correct?

11 MR. MCCLURE: That is correct.

12 MR. FELDEWERT: Okay. So this is
13 Wolfcamp, Purple Sage, Wolfcamp gas pool. And you're
14 talking about the primary product?

15 MR. MCCLURE: That's correct,
16 Mr. Feldewert. If we can just correct that to list it
17 as gas, because it is a gas pool.

18 MR. FELDEWERT: So let me ask you about
19 that. The company anticipates producing oil, and the
20 rules contemplate that there will be oil or gas
21 produced within these special pool -- so if they're
22 contemplating producing oil and that's going to be the
23 primary product, do you really want me to put gas
24 there?

25 MR. MCCLURE: Well, the procedure the

1 Division's been using is to match whether the pool is
2 oil or gas. This even includes the Purple Sage,
3 Wolfcamp, with an understanding that the reason it's
4 listed as gas is that it's considered a retrograde
5 reservoir.

6 MR. FELDEWERT: Okay.

7 MR. MCCLURE: So long answer short,
8 yes, it would be ideal to change that to gas.

9 MR. FELDEWERT: I'll do that with --
10 with my caveat since I'm signing it.

11 MR. MCCLURE: Yes. And your caveat
12 should -- should be fine.

13 MR. FELDEWERT: Okay.

14 MR. MCCLURE: This is simply a kind of
15 a procedural identification, I guess.

16 MR. FELDEWERT: All right.

17 MR. MCCLURE: It also appears that this
18 same issue on the CPAC occurs in case 25254. So if we
19 could take the same -- make the same modification in
20 that case as well.

21 MR. FELDEWERT: Certainly.

22 MR. MCCLURE: Thank you, Mr. Feldewert.

23 I have nothing -- nothing further for
24 any of these cases, Mr. Hearing Examiner.

25 THE HEARING OFFICER: Thank you.

1 So, Mr. Feldewert, when do you think
2 you want these heard again?

3 MR. FELDEWERT: If we don't anticipate
4 any questions from the witnesses, then we could do it
5 August 7th, and I don't anticipate any. I just know
6 that the -- their witnesses are not available on that
7 particular docket date. All right. But if we could
8 do August 7th, that would be great.

9 THE HEARING OFFICER: Mr. McClure, do
10 you anticipate with these corrections and changes, and
11 additions that you would want to question the
12 witnesses further?

13 MR. MCCLURE: It is extremely difficult
14 for me to know, Mr. Hearing Examiner, until I see the
15 results of their overriding royalty interests
16 research, they're going to conduct.

17 THE HEARING OFFICER: Okay. So,
18 Mr. Feldewert, why don't you continue them to August
19 7th? If it turns out that they need questions and
20 your witness is not available, then we'll have to --

21 MR. FELDEWERT: Actually, now that I
22 think about it, if it turns out they need notice, then
23 we will have to correct that so.

24 THE HEARING OFFICER: So not August
25 7th?

1 MR. FELDEWERT: It wouldn't be August
2 7th; right?

3 THE HEARING OFFICER: Right.

4 MR. FELDEWERT: Let me -- let's double
5 check that.

6 THE HEARING OFFICER: Okay.

7 MR. FELDEWERT: And then I will file
8 the appropriate continuance. Does that work for you?

9 THE HEARING OFFICER: Perfect. Yeah.
10 That works for us.

11 MR. FELDEWERT: Okay.

12 THE HEARING OFFICER: All right. So
13 we're off the record in these cases.

14 Let's go on to number 21 on our docket,
15 which is 25228, Mewbourne Oil. And let's see if
16 it's -- yes, it is joined to 25301 and 25303. I think
17 these are the last three cases on the docket.
18 Entries, please.

19 MS. VANCE: Good morning, Mr. Hearing
20 Examiner. Paula Vance with the Santa Fe office on
21 behalf of Mewbourne Oil Company. And we did file a
22 notice of dismissal of our case. The parties have
23 come to an agreement, and Ms. Bradfute will be able to
24 talk about her own cases, but for purposes of being
25 here for a contested hearing, we don't have anything

1 to contest at the moment.

2 THE HEARING OFFICER: So, Ms. Vance,
3 before I go to Ms. Bradfute, you dismissed your single
4 case?

5 MS. VANCE: Our single case. I did
6 note in there that we will be following up, refileing
7 at a later date.

8 THE HEARING OFFICER: Okay. So you
9 dismissed your single case, and did you withdraw --
10 and did you actually object to Ms. Bradfute's case?

11 MS. VANCE: No. No. That's right.
12 And I realized -- I was out, and I think maybe there
13 was something stated on the record with an entry of
14 appearance, but I did see we didn't even file an entry
15 of appearance. So I did make sure we filed an entry
16 of appearance in both PBEXs cases, even though one of
17 them has been dismissed.

18 But yeah, we're not objecting at this
19 point. There's nothing. No objection to withdrawn
20 either.

21 THE HEARING OFFICER: Ms. Bradfute.

22 MS. BRADFUTE: Thank you, Mr. Hearing
23 Examiner. Jennifer Bradfute with Bradfute Sayer on
24 behalf of PBEX Operations, LLC, in cases 25301 and
25 25303. We have dismissed our application in 25301.

1 The parties reached an agreement. We did file
2 separate exhibit packets for each of these cases.

3 As the day that exhibits were due, the
4 parties started to contemplate resolution that would
5 allow 25303 to move forward separately. And so we had
6 timely exhibits filed in that matter, and my witnesses
7 are online and available to proceed, if the Division
8 is ready to hear that case.

9 THE HEARING OFFICER: Is there another
10 entry of appearance?

11 MS. PENA: Good morning, Mr. Hearing
12 Examiner. Yarithza Pena, with Modrall Sperling on
13 behalf of Avant II Operating. So we had originally
14 filed an entry of appearance in both the PBEX cases,
15 but now that 25301 is dismissed, we no longer have our
16 entry there, and we withdrew our entry of appearance
17 yesterday in 25303.

18 THE HEARING OFFICER: Great. Thank
19 you.

20 MS. HATLEY: And, Mr. Examiner -- oh,
21 sorry. If I -- if I may, Keri Hatley, entering her
22 appearance on behalf of COG Operating, ConocoPhillips
23 Company, and Mongoose Minerals.

24 THE HEARING OFFICER: Thank you.

25 Mr. McClure, where are we with 25303?

1 MR. MCCLURE: I have not reviewed the
2 exhibit packet for case 25303.

3 THE HEARING OFFICER: Okay.

4 So, Ms. Bradfute, because there was
5 confusion and the office was not open yesterday, we
6 really were not sure what was going on with dismissals
7 and contested or uncontested. So we did not proceed
8 on this case. To expedite it, we can move it to the
9 August 7 docket, so that we can deal with it at that
10 time, and we'll pay for that ourselves, so your client
11 doesn't get dinged for that issue. Is there anything
12 else today from you?

13 MS. BRADFUTE: No. Thank you,
14 Mr. Hearing Officer.

15 THE HEARING OFFICER: All right. So,
16 Freya, would you move this case to the beginning of
17 the August 7 docket, and we will deal with it by
18 affidavit at that time?

19 MS. TSCHANTZ: Yes. I will.

20 THE HEARING OFFICER: All right. Thank
21 you.

22 Mr. McClure, anything further?

23 MR. MCCLURE: Nothing from me,
24 Mr. Hearing Examiner.

25 THE HEARING OFFICER: Fantastic. Okay.

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We are off the record. Thank you.
(Whereupon, at 11:12 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.

August 12, 2025

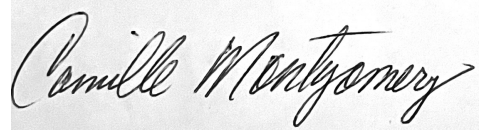


JAMES COGSWELL
Notary Public in and for the
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CERTIFICATE OF TRANSCRIBER

I, CAMILLE MONTGOMERY, 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.

August 12, 2025

A handwritten signature in black ink that reads "Camille Montgomery". The signature is written in a cursive, flowing style.

CAMILLE MONTGOMERY

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