

1 **OCD Regular Docket September 25, 2025-20250925\_154157UTC-Meeting**  
2 **Recording**

3  
4 **DISCLAIMER:** This transcript was auto-generated with the assistance of Microsoft  
5 AI technology and may contain errors, omissions, or not reflect the original audio's  
6 nuances. Its intended purpose is to provide general information only. The official  
7 record is the video recording of the hearing, which is posted to the **OCD's** YouTube  
8 channel, which can be viewed here: [OCD Pecos Hall - YouTube](#)  
9

10 36:17

11 Brea, do you want to start?

12  
13 36:19

14 I'm ready.

15  
16 36:20

17 All right, excellent.

18  
19 36:20

20 Because we don't have a court reporter today.

21  
22 36:22

23 We're doing AI transcript so we can start whenever.

24  
25 36:25

26 Everyone's ready.

27  
28 36:26

29 Is everyone ready?

30  
31 36:27

32 Looks like they are.

33  
34 36:28

35 All right, let's get on the record.

36  
37 36:30

38 Today is September 25th, 2025.

39  
40 36:33

41 This is the second regular docket in the OCD month.

42  
43 36:37

44 And we hear status conferences today.

45  
46 36:39  
47 And we'll start off with a good night.  
48  
49 36:41  
50 Midstream Permian case 24491.  
51  
52 36:44  
53 Andrews, please.  
54  
55 36:48  
56 Adam Reagan appearing on behalf of Good Night Midstream Permian with the  
57 Sanity office of Holland Heart, Dana Hardy with Hardy McClain on behalf of Empire  
58 New Mexico.  
59  
60 37:00  
61 Is that all?  
62  
63 37:00  
64 I think that's all in this one.  
65  
66 37:03  
67 I thought Sharon Shaheen might be on this one too.  
68  
69 37:06  
70 You want to entry?  
71  
72 37:10  
73 No, no.  
74  
75 37:11  
76 Oh, there is an entry for Spencer Fain representing Empire, also Sharon Shaheen,  
77 Spencer Faye Empire.  
78  
79 37:22  
80 Thank you.  
81  
82 37:22  
83 All right, so Mr.  
84  
85 37:24  
86 Rankin, this case has been on stay for about a year now, waiting for the outcome of  
87 the battle between the Titans before the Commission.

88  
89 37:34  
90 That battle is, I guess, well, a final order has been entered, let's just say that.  
91  
92 37:41  
93 So how do you want to proceed?  
94  
95 37:43  
96 Thank you, Mr.  
97  
98 37:44  
99 Young.  
100  
101 37:44  
102 Officer, this is a narrow issue in this case about whether or not there's good cause  
103 for extension of a injection authority.  
104  
105 37:52  
106 I believe that the issues in this case are not affected by the order or ruling in the  
107 Commission order to the extent that that order is not even dispositive the issues in  
108 that case, I don't think so.  
109  
110 38:10  
111 My, my, my request is that this case go forward on the barons to determine why not  
112 this good cause.  
113  
114 38:17  
115 And I think given the potential outcome of the Commission case, this this well has  
116 even more importance.  
117  
118 38:27  
119 If if it turns out that those four wells are shut in immediately or over time  
120 incrementally, that'll be a loss of over 100,000 barrels of produce water affecting  
121 more than 3000 barrels of oil production a day and it will have a great impact on the  
122 state.  
123  
124 38:44  
125 So the additional capacity of that this well will provide, it's important.  
126  
127 38:49  
128 OK.  
129  
130 38:50  
131 Thank you, Miss Hardy.

132  
133 38:52  
134 Yes, Mr.  
135  
136 38:52  
137 Examiner.  
138  
139 38:53  
140 So this well is the subject of one of Empire's applications to revoke the permit.  
141  
142 39:00  
143 And that application was filed in Case 24021 and that application was transferred to  
144 the Commission and then it was stayed because this well is close to the unit but right  
145 outside of it.  
146  
147 39:13  
148 So Goodnight had argued over Empire's objection that the cases for involving wells  
149 outside the unit should be stayed pending the determination on the walls inside the  
150 unit.  
151  
152 39:23  
153 So the application to revoke is pending before the Commission and it stayed.  
154  
155 39:27  
156 So given that fact, I think this case has to also continue to be stayed because they're  
157 I think whether there's good cause for the extension is impacted by whether the  
158 permit should be revoked completely, which is still not been decided.  
159  
160 39:43  
161 Miss Shaheen, are you do you have anything to add to that argument?  
162  
163 39:47  
164 I do not.  
165  
166 39:48  
167 OK, Mr.  
168  
169 39:49  
170 Rankin, I'll give you a chance to respond.  
171  
172 39:52  
173 Sure.  
174  
175 39:53  
176 This well is more than a mile outside the unit.

177  
178 39:56  
179 The findings of the Commission and the order determine that there is no impairment  
180 at present, even from the wells inside the unit.  
181  
182 40:05  
183 So I think I think in terms of what the impact is on this particular application, I would  
184 if, if in fact Empire intends to pursue or request that stay be continued, I think they  
185 should follow a motion to articulate the bases under the Teneco standards for doing  
186 so.  
187  
188 40:24  
189 Again, it's a narrow issue on whether or not there's good 'cause to go forward to  
190 extend the order.  
191  
192 40:30  
193 I think that's the scope of the hearing.  
194  
195 40:32  
196 And to the extent Empire can make a showing based on that, that it should be  
197 continued to be stayed, then I think we can have that argument.  
198  
199 40:40  
200 But at this point, I I'd ask that the case be set for a hearing so that we can go forward  
201 to get our extension entered.  
202  
203 40:50  
204 It's a tricky 1.  
205  
206 40:53  
207 It's a tricky one because we have an application to revoke the authority, but that  
208 application is now with the Commission and it's been stayed at goodnight's request,  
209 at goodnight's request right now.  
210  
211 41:12  
212 I, I thank you.  
213  
214 41:14  
215 Yes, but we have an amendment case depending on good cause.  
216  
217 41:21  
218 And even if we found even if the division found good 'cause to extend the injection  
219 authority and the well is more than one mile outside the this Roz that Empire was the  
220 center of Empire's case before the Commission.

221  
222 41:43  
223 And and Mr.  
224  
225 41:44  
226 Rankin, are you saying that the Commission that the order and I'll I'll come to you in  
227 just a moment, Miss Hardy.  
228  
229 41:52  
230 Are you saying that the order handed down by the Commission, which I have not  
231 read, does not deal with wells outside what, what is the what is the what is the zone  
232 called?  
233  
234 42:07  
235 The, the area in which the the case was addressed was the EMSU, the units one in  
236 the South unit.  
237  
238 42:15  
239 So the unit, so the the limitation of the order was within the balance of that unit  
240 addressing only the four wells operated by by goodnight and, and, and the and the  
241 five I think that were proposed neutrals.  
242  
243 42:29  
244 And you say that because it says that in the order that was the limitation of the scope  
245 of the hearing.  
246  
247 42:36  
248 It was yeah, Miss Hardy.  
249  
250 42:38  
251 So that's.  
252  
253 42:40  
254 Well, I disagree with Mr.  
255  
256 42:42  
257 Rankin's interpretation of the order.  
258  
259 42:44  
260 I think it found that there is there is a violation of correlative rights and they the order  
261 was to prevent waste.  
262  
263 42:51  
264 Mr.

265  
266 42:52  
267 Rankin is correct that the order does not deal with wells within the unit.  
268  
269 42:57  
270 I mean it, I'm sorry, the opposite.  
271  
272 42:58  
273 It does not deal with the wells outside of the unit because those applications are  
274 stayed, including good night's application to inject into this well.  
275  
276 43:08  
277 And once the order issues are resolved before the Commission, you know, there's a  
278 rehearing deadline coming up next week that the parties would file promotion for  
279 rehearing and then there would be an appeal.  
280  
281 43:22  
282 But in any event, following a decision on the motions for rehearing, Empire will file to  
283 proceed with these additional applications that are at the Commission regarding  
284 wells outside of the unit The applications to revoke.  
285  
286 43:41  
287 Yes.  
288  
289 43:44  
290 Well, I'm and I'm really what I'm, what I'm trying to decide is is there a legal basis to  
291 move forward with this amendment case?  
292  
293 43:54  
294 That's really what I'm focused on right now, not about the Commission now.  
295  
296 44:00  
297 So, so that can we have an order from the Commission.  
298  
299 44:02  
300 Ostensibly we put this this application on stay until we got an order.  
301  
302 44:08  
303 We do have an order whether or not it's appealed or an or or or the subject of a  
304 motion to rehear.  
305  
306 44:17  
307 You wouldn't be filing a motion to rehear, would you not on the results overall, there  
308 may be specific items because you want basically yes.

309  
310 44:26  
311 And and Mr.  
312  
313 44:27  
314 Rankin, you would be filing a motion to for a rehearing.  
315  
316 44:29  
317 We will be OK.  
318  
319 44:30  
320 You owe you will be OK.  
321  
322 44:31  
323 All right.  
324  
325 44:32  
326 Sounds good.  
327  
328 44:33  
329 And I know they're working on the record for eventual appeal.  
330  
331 44:36  
332 So they know that's coming as well.  
333  
334 44:39  
335 So that's in the works so that it's it's done efficiently.  
336  
337 44:44  
338 Does it go to the a District Court or does it go to the Court of Appeals?  
339  
340 44:47  
341 It goes to the district District Court.  
342  
343 44:49  
344 Is that a Rule 74 or 75 appeal?  
345  
346 44:51  
347 I believe it's 74.  
348  
349 44:53  
350 So is it is it, is it mandatory or is it mandatory?



351  
352 44:57  
353 Oh, it is mandatory.  
354  
355 44:58  
356 OK, 74 is mandatory.  
357  
358 45:00  
359 Mr.  
360  
361 45:01  
362 Hearing Officer, I may just make a comment about about the procedural issues here  
363 and the consideration.  
364  
365 45:09  
366 So two things.  
367  
368 45:09  
369 One, just to be good since you haven't read the order, I just want to make clear that  
370 since I haven't what read the order, I have not read the order.  
371  
372 45:14  
373 I'm going to make clear 22 key findings #1 The Commission found that Empire's  
374 crotal rights are not currently impaired.  
375  
376 45:22  
377 OK, Number one.  
378  
379 45:24  
380 OK.  
381  
382 45:24  
383 And that's under they're finding paragraph 3C.  
384  
385 45:28  
386 Commission found Empire did not do substantial evidence that the crotal rights in the  
387 Grayburg are currently impaired by Goodnight's injection into the San Andres.  
388  
389 45:35  
390 They also found that the proposed Roz is not recoverable.  
391  
392 45:39  
393 There's been no proof that it's been it's capable of being recovered either in the  
394 Grayburg or in the San Andreas.

395  
396 45:44  
397 So the the the key findings about impairment and Cruella rights were were were  
398 determined not not to favor Empire at this time.

399  
400 45:52  
401 This is more than a mile away.

402  
403 45:57  
404 By allowing this case to go forward and having us here having a hearing on the  
405 narrow issue of good cause, in the event that we prevail, which I think we we would,  
406 we have established a clear basis for a good cause to extend the order.

407  
408 46:12  
409 We would have then an order in place, an effective valid order for injection.

410  
411 46:18  
412 It would then be incumbent on Empire to file a motion to stay that pending review by  
413 the Commission, in which case they would need to establish the bases to stay a  
414 validly issued division order.

415  
416 46:30  
417 So I would proper to the division that rather than circumvent those legal hurdles that  
418 Empire would otherwise have to establish, we'll be allowed to go to hearing, make  
419 our case on Good 'cause get an order of favoring Good Night's continued valid  
420 authority to inject under that well, and then require Empire to make a showing why it  
421 should be stayed.

422  
423 46:54  
424 Miss Hardy, I I think that all of that is premature and unnecessary.

425  
426 46:59  
427 I think that the applications been filed, so at this point I think it should be stayed.

428  
429 47:07  
430 I don't think the Tenneco factors apply to a state of proceedings.

431  
432 47:10  
433 They apply to a state of an order.

434  
435 47:13  
436 At the very least, I would think it might make sense for the Division to set this for  
437 another status conference in another month after the rehearing motions have been  
438 filed and Empire has had an opportunity to file a reinstate.

439  
440 47:30

441 Not reinstate, but seek to lift the stay before the Commission on its application to  
442 revoke this specific permit.

443

444 47:40

445 I'm not sure what tenant, what, I don't know anything about technical factors and how  
446 they apply to this, and I'll ask you in just a moment, But here's the logic that I'm  
447 using.

448

449 47:51

450 And it's favouring Mr.

451

452 47:52

453 Rankin's argument to hear the case because I stayed this case before the division  
454 instead of and.

455

456 48:00

457 And I think there was a motion to refer this case to the Commission, which I did,  
458 which I rejected because I felt like we can deal with the amendment ourselves in the  
459 division level.

460

461 48:12

462 So Miss Hardy, I, the logic I see here and tell me where I'm going wrong is that we  
463 stayed this pending the outcome of a final order.

464

465 48:21

466 We have a final order.

467

468 48:23

469 The final order is restricted from what I understand and I could be wrong, but is  
470 restricted to the EMSU and not outside the EMSU.

471

472 48:34

473 It would seem to me that if you wanted the Commission to expand that order to  
474 outside the EMSUI, think you'd have to provide additional evidence to the  
475 Commission to show how that's justified.

476

477 48:48

478 Let's just say so based on just those simple facts right here and not even dealing  
479 with the two key facts that Mister or, or so-called key facts that Mister Rankin just  
480 told me that are in the order, which I don't see even that it impacts what I'm doing  
481 here today.

482

483 49:11

484 It seems to me logical to remove the stay, have the hearing on good 'cause and if the  
485 division finds good 'cause, then you have a way to block that order at the  
486 Commission level.

487  
488 49:28  
489 Well, the fact that I agree that we would need to present additional evidence of the  
490 Commission, but we would do that by lifting the stay there on the application to  
491 revoke the permit for this well.

492  
493 49:45  
494 So I, I don't think that it's consistent for Goodnight to have argued that the  
495 applications at the Commission involving the wells outside of the unit had to be  
496 stayed and then argue that this case should go forward.

497  
498 50:02  
499 I think when there is an application pending to revoke this specific permit, it's not  
500 appropriate to proceed with a decision on extending injection into this their injection  
501 authority entered as well.

502  
503 50:21  
504 I mean, even if even if that application to revoke were at the division level, which I  
505 think it was at one time and then it got referred as a as a group is yes.

506  
507 50:31  
508 Would you remind me, is that correct?

509  
510 50:32  
511 I think all I, I think that's right.

512  
513 50:33  
514 I think all of the cases were referred to the Commission other than this one, right.

515  
516 50:39  
517 But didn't this one come after those?

518  
519 50:42  
520 I think so.

521  
522 50:43  
523 I thought so, but it's just, I seem to remember that or else I think I would have  
524 referred this to the Commission, but it came after and then I felt like it was an issue  
525 that we could deal with and then if Empire didn't like it, they could deal with it at the  
526 Commission level.

527  
528 50:57  
529 It just, I, I, I understand your argument, but I don't hear anything that makes me feel  
530 differently that the original reason why we did this is X and now we have X.

531  
532 51:11  
533 So we should proceed.

534  
535 51:13  
536 And then there are what there are remedies for you at the Commission level,  
537 because I think even if you are, even if you are application to revoke the authority,  
538 we're at the division level.

539  
540 51:25  
541 We could consolidate that and hear that together at the division level along with the  
542 but, but if I'm not mistaken, we we really, this is a very narrow issue as Mr.

543  
544 51:35  
545 Rankin says that this is about good 'cause that's the way we've dealt with the other.

546  
547 51:40  
548 We've dealt with other amendments as just just we want to hear good 'cause only.

549  
550 51:46  
551 So I'm not even sure we would consolidate it or maybe what I don't know it, it's  
552 outside the scope of what we're dealing with today.

553  
554 51:52  
555 So I'm going to, I'm going to remove the stay.

556  
557 51:55  
558 Mr.

559  
560 51:55  
561 Rankin, would you draft an order removing the stay moving this case forward?

562  
563 52:00  
564 When do you want this case heard?

565  
566 52:02  
567 May I confer with my client about their availability in and maybe to do so, Mr.

568  
569 52:10  
570 Hearing Officer, would you maybe provide available dates have them here on a  
571 piece of paper.

572  
573 52:14  
574 OK, so we have, we have one, we have 4 left for the rest of the year.

575  
576 52:21  
577 OK.  
578  
579 52:21  
580 Now I don't think we need, well, I think we do need a technical examiner for, for a  
581 good cause because maybe, maybe something would come up, maybe Miss Hardy  
582 would raise an issue during the good 'cause that a technical examiner would need to  
583 look at.  
584  
585 52:37  
586 So we have October 14 that'd be virtual only.  
587  
588 52:42  
589 We have October 28 also virtual only.  
590  
591 52:48  
592 And then we have November 18.  
593  
594 52:52  
595 It would be on a trailing docket.  
596  
597 52:55  
598 And then the last of the year will be December 9.  
599  
600 52:59  
601 So those are your four dates.  
602  
603 53:00  
604 And December 9th would be in person?  
605  
606 53:02  
607 It would be.  
608  
609 53:02  
610 So it would be November and then November, right.  
611  
612 53:05  
613 Freya?  
614  
615 53:06  
616 Yes, that's right.  
617  
618 53:07  
619 OK, so November and December are in person.

620  
621 53:10  
622 The 2 October dates are virtual.  
623  
624 53:12  
625 OK with permission, Mr.  
626  
627 53:15  
628 Young Officer, I would confirm with a client to determine availability.  
629  
630 53:19  
631 Sure.  
632  
633 53:20  
634 When?  
635  
636 53:20  
637 When?  
638  
639 53:20  
640 Well, I also have to make sure that Miss Hardy is available as well.  
641  
642 53:24  
643 I would do that.  
644  
645 53:25  
646 I should be able to get answers today, I expect.  
647  
648 53:28  
649 Will you communicate with Empires Council?  
650  
651 53:31  
652 I will.  
653  
654 53:31  
655 And let us know what is decided between the parties.  
656  
657 53:35  
658 Yes.  
659  
660 53:35  
661 OK.

662  
663 53:36  
664 Excellent.  
665  
666 53:38  
667 Do you anticipate having witnesses?  
668  
669 53:42  
670 I'll have to consult my client.  
671  
672 53:44  
673 I think they may want to have witnesses.  
674  
675 53:48  
676 I mean, I think yeah.  
677  
678 53:50  
679 Yeah, that's fine.  
680  
681 53:51  
682 Yeah.  
683  
684 53:51  
685 And, and, and we are limiting it to good cause.  
686  
687 53:55  
688 Understood.  
689  
690 53:55  
691 OK.  
692  
693 53:56  
694 I mean, we've done that in the past.  
695  
696 53:57  
697 And I think that's only fair because that's what the rule permits as a, as a reason to  
698 amend.  
699  
700 54:06  
701 And we are working Miss Vance, on a notice for, you know, when you need to have  
702 a hearing for for amendments and when you don't.  
703  
704 54:16  
705 You've been talking about that with John Garcia.



706  
707 54:19  
708 And I just thought I'd mention that now to you.  
709  
710 54:21  
711 It's in the works, and I think it'll come out soon, along with some other notices that I'll  
712 talk about in just a moment.  
713  
714 54:28  
715 But Mr.  
716  
717 54:29  
718 Rankin, is there anything else?  
719  
720 54:32  
721 Nothing on this matter that I can I can think of, Mr.  
722  
723 54:34  
724 Officer.  
725  
726 54:35  
727 Thank you.  
728  
729 54:35  
730 Miss Hardy.  
731  
732 54:37  
733 The only other thing I might suggest, but it's not been done at this point, would be to  
734 refer this one to the Commission.  
735  
736 54:45  
737 So it'd be consolidated with the other applications.  
738  
739 54:48  
740 Regarding the wells outside of the unit, I thought about that as, as we were talking  
741 earlier and I still, I still think that this is an issue that the division can simply rule on  
742 based on a narrow issue of good cause and then let, let the parties handle it from  
743 there.  
744  
745 55:05  
746 I, I think you have multiple options on how to, how to deal with this once it gets out of  
747 the division and that it wouldn't prejudice you or your client for us to hear this.  
748  
749 55:17  
750 And, and, and you know, so that's, that's how I, that's why I'm thinking about this.

751  
752 55:24  
753 So if there's nothing else on this, I will mention that we have some other notices that  
754 are coming out in the next short time frame.

755  
756 55:32  
757 Number one is I think it's called a request for a hearing.

758  
759 55:38  
760 Applicants have in the past had a had a simple procedure to request a hearing.

761  
762 55:45  
763 That procedure will become a little bit more elaborate coming up.

764  
765 55:49  
766 It'll require more data entry from the part of the applicant to so that the division is  
767 relieved of making any type of errors that we might make in trying to guess what the  
768 application is really asking for.

769  
770 56:06  
771 So you might mention that to your paralegals or whoever does your data entry if it's  
772 not you yourself in smaller firms, I get it.

773  
774 56:15  
775 I just let, I'm just saying.

776  
777 56:16  
778 So that's coming out.

779  
780 56:17  
781 We also will have the notice as to when you need to have a hearing for an  
782 amendment and when you don't.

783  
784 56:26  
785 I know that's been subject of, of, of issue lately, especially after Dylan's notice last  
786 year.

787  
788 56:36  
789 There's one other issue that's coming up too and escapes my mind.

790  
791 56:39  
792 So what I'll do is I'll move on to another case and it'll come to my mind.

793  
794 56:43

795 OK, so we're off the record in 24491 and we will set a hearing for good cause based  
796 on Mr.

797  
798 56:51  
799 Rankin and Miss Hardy's conversations with their clients.

800  
801 56:54  
802 OK, I'm now calling Spur Energy 25535 entries, please.

803  
804 56:59  
805 Dana Hardy with Hardy McClain on behalf of Spur Energy Partners, thank you.

806  
807 57:05  
808 Sharon Shaheen on behalf of Longfellow Energy, who Longfellow Energy  
809 Longfellow, thank you.

810  
811 57:13  
812 Carrie Hatley entering her appearance.

813  
814 57:14  
815 On behalf of Conoco Phillips, thank you.

816  
817 57:17  
818 Good morning, Mr.

819  
820 57:18  
821 Hearing Officer.

822  
823 57:18  
824 Miguel Swaza with Beatty and Wozniak appearing on behalf of Riley Permian for  
825 monitoring purposes only.

826  
827 57:24  
828 Good morning.

829  
830 57:25  
831 Monitoring only.

832  
833 57:26  
834 OK.

835  
836 57:27  
837 And Miss Hatley, did you tell me what your position is?

838  
839 57:30  
840 I did not, I apologize.  
841  
842 57:32  
843 I will rectify that in the remaining cases today I am monitoring only and monitors.  
844  
845 57:36  
846 Thank you.  
847  
848 57:37  
849 So does that mean Miss Shaheen?  
850  
851 57:38  
852 Miss Shaheen, are you the one who objected?  
853  
854 57:40  
855 Yes, I believe so.  
856  
857 57:42  
858 And Longfellow, will has sent out well proposals and will be filing applications.  
859  
860 57:49  
861 I think the first available docket will be the December 4th.  
862  
863 57:53  
864 The well proposals went out on the 16th of September.  
865  
866 57:56  
867 And and it's the 9th, just to be clear.  
868  
869 57:59  
870 Oh, is it December 9th?  
871  
872 58:01  
873 It is, yes.  
874  
875 58:03  
876 I didn't say the fourth.  
877  
878 58:03  
879 It was the 9th.

880  
881 58:04  
882 OK, my bad.  
883  
884 58:06  
885 No, no, it's fine.  
886  
887 58:06  
888 But does that still, does that still make sense to you?  
889  
890 58:09  
891 That does because I don't think we could make the November docket.  
892  
893 58:12  
894 That sounds fine.  
895  
896 58:13  
897 OK.  
898  
899 58:13  
900 That's why I mentioned all four.  
901  
902 58:16  
903 Miss Hardy, it's your.  
904  
905 58:17  
906 It's your case, yes, Mr.  
907  
908 58:19  
909 Examiner.  
910  
911 58:20  
912 And I think Longfellow and Spur are talking, but at this point, I think it makes sense  
913 to set a contested hearing on the December date that's available December 9.  
914  
915 58:29  
916 OK.  
917  
918 58:29  
919 So I think it's a Tuesday, right, Freya?  
920  
921 58:32  
922 Yes.

923  
924 58:33  
925 OK, very good.

926  
927 58:34  
928 And if it needs to go longer, it can go into the Wednesday or Thursday after.

929  
930 58:38  
931 It's fine.

932  
933 58:38  
934 We're we're here.

935  
936 58:39  
937 OK.

938  
939 58:41  
940 Miss Hardy, do you know what the, do you know what the issues are between  
941 Longfellow and and Spur?

942  
943 58:48  
944 I don't other than competing development plans.

945  
946 58:51  
947 I don't know how the plans will differ or if they will differ.

948  
949 58:54  
950 I don't know.

951  
952 58:55  
953 I could summarize a little bit.

954  
955 58:56  
956 That'd be great.

957  
958 58:57  
959 Thanks.

960  
961 58:57  
962 Yes, Longfellow actually is the current operator in that same area for wells that are in  
963 a different formation.

964  
965 59:05  
966 In fact, they're called the Marley Wells.

967  
968 59:07  
969 What wells?  
970  
971 59:07  
972 They're called the Marley Wells, which is the name of the Spurs proposed  
973 development.  
974  
975 59:13  
976 So that is one of the issues Longfellow believes it should be operating these wells  
977 because it is already operating wells in a nearby formation.  
978  
979 59:22  
980 I believe in the Yaso formation, but I I'm not, I don't know yet the availability of my  
981 witnesses.  
982  
983 59:29  
984 So I don't know if they're available on that December 9th date.  
985  
986 59:32  
987 OK, Well, it's they can appear virtually as you know and they don't have to appear  
988 here.  
989  
990 59:41  
991 And do you know what the interest ownership is between the difference between  
992 Spur and Longfellow that I don't know offhand.  
993  
994 59:49  
995 OK, you don't either.  
996  
997 59:49  
998 We don't either.  
999  
1000 59:50  
1001 OK you you don't know Spurs interest in in the I don't think I do.  
1002  
1003 59:58  
1004 I think there was an objection before we had the I see the data.  
1005  
1006 1:00:02  
1007 OK, yes.  
1008  
1009 1:00:03  
1010 All right, perfect.

1011  
1012 1:00:04  
1013 So we'll set this up.  
1014  
1015 1:00:05  
1016 We'll issue a pre hearing order for December.  
1017  
1018 1:00:08  
1019 9 And Miss Shaheen, you'll let us know if your witnesses are not available.  
1020  
1021 1:00:14  
1022 I will.  
1023  
1024 1:00:14  
1025 Yes.  
1026  
1027 1:00:15  
1028 Thank you.  
1029  
1030 1:00:16  
1031 And is there anything else, Miss Hardy?  
1032  
1033 1:00:19  
1034 No, thank you, Miss Shaheen.  
1035  
1036 1:00:21  
1037 Not for me.  
1038  
1039 1:00:22  
1040 Thank you.  
1041  
1042 1:00:22  
1043 We're off the record.  
1044  
1045 1:00:23  
1046 In that case, let's move on to select Water Solutions.  
1047  
1048 1:00:27  
1049 There are 5 cases.  
1050  
1051 1:00:29  
1052 We have joined them together for the purposes of a hearing.



1053  
1054 1:00:32  
1055 2554546474849 entries, please.  
1056  
1057 1:00:37  
1058 Dana Hardy with Hardy McLean on behalf of Select Water Solutions.  
1059  
1060 1:00:40  
1061 Thank you.  
1062  
1063 1:00:41  
1064 Carrie Hatley entering her parents on behalf of COG Operating and we are objecting.  
1065  
1066 1:00:45  
1067 Thank you.  
1068  
1069 1:00:46  
1070 Good morning.  
1071  
1072 1:00:46  
1073 Mr.  
1074  
1075 1:00:47  
1076 Hearing Examiner.  
1077  
1078 1:00:48  
1079 Paula Vance with the Santa Fe office of Holland and Hart on behalf of Devon Energy  
1080 Production.  
1081  
1082 1:00:52  
1083 And we entered in an appearance and objected as well.  
1084  
1085 1:00:55  
1086 Now I'll ask you with Miss Hatley in just a moment.  
1087  
1088 1:00:58  
1089 But Miss Vance, do you object to all 5 applications?  
1090  
1091 1:01:01  
1092 That's correct.  
1093  
1094 1:01:02  
1095 You do.

1096  
1097 1:01:02  
1098 OK.  
1099  
1100 1:01:03  
1101 And Miss Hatley, all 5.  
1102  
1103 1:01:04  
1104 All five OK 5 Mr.  
1105  
1106 1:01:05  
1107 Mr.  
1108  
1109 1:01:06  
1110 Examiner, Mathias Sayer representing EOG Resources in this matter, We entered  
1111 an appearance IN25549 and similarly are objecting.  
1112  
1113 1:01:18  
1114 Oh, very good.  
1115  
1116 1:01:18  
1117 Thank you.  
1118  
1119 1:01:19  
1120 Good morning.  
1121  
1122 1:01:20  
1123 Mr.  
1124  
1125 1:01:20  
1126 Examiner, This is Deena Bennett appearing virtually.  
1127  
1128 1:01:24  
1129 My apologies for not being there in person, but I am going to be entering an  
1130 appearance in case 25545-ON behalf of Coterra NRG operating and they object to  
1131 the case moving forward.  
1132  
1133 1:01:37  
1134 Thank you.  
1135  
1136 1:01:45  
1137 I can't hear you.  
1138  
1139 1:01:48  
1140 At least I couldn't hear you like I could hear them.

1141  
1142 1:01:52  
1143 Mr.  
1144  
1145 1:01:52  
1146 Hearing Examiner, hear you now Gabrielle Gerholt on behalf of Civitas Permian  
1147 Operating, we have filed an objection in case 25549.  
1148  
1149 1:02:03  
1150 Thank you.  
1151  
1152 1:02:04  
1153 So, so let me go around the room virtually and ask what is the basis of the objection  
1154 because I, I doubt that anyone is going to be presenting A competing plan here.  
1155  
1156 1:02:16  
1157 So Miss Vance, you have the microphone.  
1158  
1159 1:02:18  
1160 What is your objection?  
1161  
1162 1:02:19  
1163 So basically we're just my understanding is that Devin and Select are working on an  
1164 accommodation agreement and they, the parties did meet and I already conferred  
1165 with Miss Hardy on this.  
1166  
1167 1:02:34  
1168 But our request, Devin's request is that we do another follow up status conference.  
1169  
1170 1:02:40  
1171 I will say, you know, it sounds like they're the, the meeting between the parties went  
1172 really well.  
1173  
1174 1:02:47  
1175 So we're just working towards an agreement right now.  
1176  
1177 1:02:50  
1178 What's an accommodation?  
1179  
1180 1:02:52  
1181 What is that?  
1182  
1183 1:02:53  
1184 So basically to since the where select is planning their development, and again, I'm I,  
1185 I miss Hardy can correct me if I'm wrong, but essentially where they are proposing to

1186 put their disposal wells or the injection zones, it may be closer near to where there's  
1187 development for operators such as Devon.

1188

1189 1:03:22

1190 And so they're you know, it's in disposal is a needed, a necessity for operations, but  
1191 so just something that works out for both the parties.

1192

1193 1:03:33

1194 OK, that makes sense.

1195

1196 1:03:34

1197 Thank you.

1198

1199 1:03:35

1200 Miss Vance, can you pass the microphone to Miss Gehrholtz and she's next to you.

1201

1202 1:03:38

1203 And and what is your objection, Mr.

1204

1205 1:03:42

1206 Hearing Examiner?

1207

1208 1:03:43

1209 Our objection is the potential impact on the Avalon formation and our future  
1210 development.

1211

1212 1:03:49

1213 We also hope to come to an agreement with Select by by having them move, by  
1214 having them move their wells a little bit here or there.

1215

1216 1:03:57

1217 I believe that's the path we're going to pursue.

1218

1219 1:03:59

1220 Perfect.

1221

1222 1:03:59

1223 Thank you.

1224

1225 1:04:01

1226 Miss Hatley.

1227

1228 1:04:03

1229 We are working in agreement with Select and if we do, we will, if we reach it, we will  
1230 withdraw our objection.

1231  
1232 1:04:09  
1233 We are generally supportive of disposal opportunities, but we're very cautious as to  
1234 how and where and how much.

1235  
1236 1:04:15  
1237 So it's the how and where.

1238  
1239 1:04:16  
1240 OK.

1241  
1242 1:04:17  
1243 Thank you, Miss Haley.

1244  
1245 1:04:18  
1246 Mr.

1247  
1248 1:04:18  
1249 Sayer.

1250  
1251 1:04:20  
1252 Thank you.

1253  
1254 1:04:20  
1255 Mr.

1256  
1257 1:04:20  
1258 Hearing Examiner, my client has a well within the AOR for the well proposed  
1259 IN25549.

1260  
1261 1:04:29  
1262 You called it an EOR, AOR, sorry, the AOR area review and an area of review  
1263 review.

1264  
1265 1:04:37  
1266 Thank you.

1267  
1268 1:04:39  
1269 Thank you, Mr.

1270  
1271 1:04:39  
1272 Sehr and Miss Bennett.

1273  
1274 1:04:42  
1275 Thank you.

1276  
1277 1:04:42  
1278 Mr.  
1279  
1280 1:04:43  
1281 Hayden Examiner, Coterra Energy operating also does have a well within 1/2 mile of  
1282 the proposed OR unit within half mile of the Coyote Fed 14 SWD #1 and so has  
1283 concerns about the impacts of injection on Kottera's existing wells.  
1284  
1285 1:05:04  
1286 And Kottera only recently received notice of this proposed SWD.  
1287  
1288 1:05:10  
1289 It was originally sent to Franklin Mountain Energy and then Kottera only recently  
1290 found out about it.  
1291  
1292 1:05:17  
1293 So I can't say whether they've been in discussions with Select yet because they just  
1294 found out about this, well, very recently.  
1295  
1296 1:05:24  
1297 Perfect.  
1298  
1299 1:05:24  
1300 Thank you, Miss Bennett, and I hope you feel better.  
1301  
1302 1:05:26  
1303 By the way, I know you've been sick for a while.  
1304  
1305 1:05:28  
1306 It seems like you've been sick for a little while now, Miss Hardy.  
1307  
1308 1:05:32  
1309 Yeah, thank you.  
1310  
1311 1:05:33  
1312 Thank you, Miss Hardy.  
1313  
1314 1:05:36  
1315 The the parties are in discussions with Select.  
1316  
1317 1:05:39  
1318 I think Select is working with them to try to resolve these issues.  
1319  
1320 1:05:42

1321 I don't know, as Miss Bennett mentioned, if they've talked to Guterra since that's a  
1322 new entry.

1323  
1324 1:05:48  
1325 But our plan was to request another status conference on the 2nd October docket in  
1326 the hope that some of these issues have been resolved or at least we know whether  
1327 they will be OK.

1328  
1329 1:06:00  
1330 And that makes a lot of sense to me.

1331  
1332 1:06:03  
1333 I'm going to do 2 things.

1334  
1335 1:06:06  
1336 I'm going to set, well, I'm going to set a status conference for these cases on the  
1337 October 28th docket, but I'm also going to set a hearing on the 1118 docket.

1338  
1339 1:06:15  
1340 It's a special docket.

1341  
1342 1:06:18  
1343 The 1118 hearing docket will have a technical examiner who specializes in injection  
1344 wells.

1345  
1346 1:06:25  
1347 It'll be Mr.

1348  
1349 1:06:25  
1350 Anthony Harris and he's only available two days for the rest of the year.

1351  
1352 1:06:31  
1353 And that was the October 28th, which sounds like it'll be too soon for you, and the  
1354 11:18, which sounds just about right.

1355  
1356 1:06:38  
1357 So that will issue a pre hearing order for the 11:18.

1358  
1359 1:06:46  
1360 If for some reason your witnesses are not available on 11/18, please let me know.

1361  
1362 1:06:50  
1363 They can appear virtually if if you so choose.

1364  
1365 1:06:54  
1366 Is there anything further on these cases?  
1367  
1368 1:06:55  
1369 No, thank you.  
1370  
1371 1:06:56  
1372 All right, perfect.  
1373  
1374 1:06:59  
1375 From any other party.  
1376  
1377 1:07:01  
1378 All right, excellent.  
1379  
1380 1:07:01  
1381 All right, we're off the record in those five cases.  
1382  
1383 1:07:03  
1384 Let's move on to 1 of Mr.  
1385  
1386 1:07:05  
1387 Bruce's cases, which I don't know that he'll be here for, but this is 25562 and 25564  
1388 entries, please.  
1389  
1390 1:07:16  
1391 Good morning, Mr.  
1392  
1393 1:07:17  
1394 Hearing.  
1395  
1396 1:07:18  
1397 Go ahead, Mr.  
1398  
1399 1:07:19  
1400 Bruce.  
1401  
1402 1:07:19  
1403 I I am available.  
1404  
1405 1:07:21  
1406 Mr.



1407  
1408 1:07:21  
1409 Mr.  
1410  
1411 1:07:22  
1412 Examiner.  
1413  
1414 1:07:23  
1415 I hear.  
1416  
1417 1:07:23  
1418 Thank you, office.  
1419  
1420 1:07:27  
1421 Thank you.  
1422  
1423 1:07:29  
1424 Yes.  
1425  
1426 1:07:29  
1427 Good morning, Mr.  
1428  
1429 1:07:31  
1430 Hearing Examiner.  
1431  
1432 1:07:31  
1433 Darren Savage with Aberdeen Shill appearing on behalf of Coterra Energy Operating  
1434 Company.  
1435  
1436 1:07:36  
1437 OK.  
1438  
1439 1:07:37  
1440 Good morning.  
1441  
1442 1:07:37  
1443 Mr.  
1444  
1445 1:07:38  
1446 Examiner.  
1447  
1448 1:07:38  
1449 Carrie Hetley entering her appearance on behalf of COG operating Concho Oil and  
1450 Gas, Marathon Oil, Permian and Mongoose Minerals monitoring only.

1451  
1452 1:07:46  
1453 Thank you.  
1454  
1455 1:07:55  
1456 OK, Mr.  
1457  
1458 1:07:56  
1459 Savage, you obviously objected because what you have a competing application?  
1460  
1461 1:08:02  
1462 Yes, Sir.  
1463  
1464 1:08:02  
1465 This, this, this is the, a contested hearing that, that originated from the creation of a  
1466 phone pool and updated the updated applications.  
1467  
1468 1:08:15  
1469 So OK, how do you want to proceed?  
1470  
1471 1:08:21  
1472 Well, I, I think I'll, we need to set a, a contested hearing date.  
1473  
1474 1:08:25  
1475 So I've given you, I don't know if you've heard, but I, I announced 4 different  
1476 possibilities for the rest of the year.  
1477  
1478 1:08:31  
1479 Do you have one in mind?  
1480  
1481 1:08:34  
1482 Yes, Mr.  
1483  
1484 1:08:35  
1485 Bruce and I conferred and and I believe the November 18th would be the at this time  
1486 the preferable one.  
1487  
1488 1:08:42  
1489 Perfect.  
1490  
1491 1:08:42  
1492 That's what we will do.  
1493  
1494 1:08:43  
1495 We'll let you a pre hearing order for 1118.

1496  
1497 1:08:46  
1498 Question, Mr.  
1499  
1500 1:08:47  
1501 Savage, how many witnesses do you think you'll have?  
1502  
1503 1:08:51  
1504 So it would be similar to the OCC hearing.  
1505  
1506 1:08:54  
1507 So that would be a four.  
1508  
1509 1:08:57  
1510 OK, Yeah, I, I listened.  
1511  
1512 1:08:58  
1513 I I was there for the for most of that two day hearing that occurred and hopefully we  
1514 won't be in a conference room for one of them.  
1515  
1516 1:09:09  
1517 Yeah.  
1518  
1519 1:09:09  
1520 All right.  
1521  
1522 1:09:10  
1523 So about 4-4 witnesses and Mr.  
1524  
1525 1:09:12  
1526 Bruce from your party, Mr.  
1527  
1528 1:09:17  
1529 Examiner, probably 2 witnesses.  
1530  
1531 1:09:19  
1532 And just as an aside, Mr.  
1533  
1534 1:09:23  
1535 Savage and I have been working together to, to minimize what would be presented  
1536 at the hearing.  
1537  
1538 1:09:28  
1539 And I think we're, we're not looking forward to it.

1540  
1541 1:09:32  
1542 A day long hearing.  
1543  
1544 1:09:33  
1545 It would be much, much shorter than that.  
1546  
1547 1:09:35  
1548 And I believe Mr.  
1549  
1550 1:09:36  
1551 Savage would agree with that.  
1552  
1553 1:09:38  
1554 OK.  
1555  
1556 1:09:38  
1557 And, and I think you would put that in your pre hearing statement, wouldn't you?  
1558  
1559 1:09:43  
1560 Oh, absolutely, Sir.  
1561  
1562 1:09:45  
1563 All right.  
1564  
1565 1:09:46  
1566 And same with you, Mr.  
1567  
1568 1:09:47  
1569 Savage, you'd, you'd narrow the the issues in your pre hearing statement.  
1570  
1571 1:09:52  
1572 Yes, we would certainly try to streamline this.  
1573  
1574 1:09:53  
1575 That'd be great because I do read those.  
1576  
1577 1:09:56  
1578 They're very helpful, especially when they're clear.  
1579  
1580 1:09:58  
1581 OK, we'll issue a pre hearing order for 11/18 that will be in person.

1582  
1583 1:10:04  
1584 But your witnesses of course can attend virtually if they want to.  
1585  
1586 1:10:08  
1587 So anything further Mr.  
1588  
1589 1:10:09  
1590 Bruce?  
1591  
1592 1:10:11  
1593 No Sir.  
1594  
1595 1:10:12  
1596 Thank you.  
1597  
1598 1:10:13  
1599 Good luck with your eye surgery, Mr.  
1600  
1601 1:10:15  
1602 Savage.  
1603  
1604 1:10:17  
1605 Yes.  
1606  
1607 1:10:17  
1608 And I believe that covers also the next case and this on the docket what we just  
1609 discussed.  
1610  
1611 1:10:23  
1612 Aha.  
1613  
1614 1:10:24  
1615 So I called 2 cases, 25562 and 25564.  
1616  
1617 1:10:28  
1618 Is there another case?  
1619  
1620 1:10:29  
1621 No, no, just the those are the two.  
1622  
1623 1:10:32  
1624 OK, excellent, excellent.

1625  
1626 1:10:33  
1627 Well, thank you, Mr.  
1628  
1629 1:10:34  
1630 Savage.  
1631  
1632 1:10:35  
1633 We'll be off the record in those cases then.  
1634  
1635 1:10:39  
1636 OK, let's move on to Permian Resources.  
1637  
1638 1:10:42  
1639 Let's see.  
1640  
1641 1:10:42  
1642 It looks like there's a few cases here to 556-768-6969 and 70 entries, please.  
1643  
1644 1:10:49  
1645 Yes, Jackie McLean with Hardy McLean on behalf of Permian Resources.  
1646  
1647 1:10:53  
1648 Good morning, good morning, good morning.  
1649  
1650 1:10:56  
1651 Mr.  
1652  
1653 1:10:56  
1654 Hearing Examiner Paula Vance with the Santa Fe Office of Holland and Heart on  
1655 behalf of Oxy USA.  
1656  
1657 1:11:01  
1658 Good morning.  
1659  
1660 1:11:02  
1661 And we have entered an appearance and objected to all of these cases.  
1662  
1663 1:11:06  
1664 Perfect.  
1665  
1666 1:11:07  
1667 The basis of your objection is what So Oxy just received proposals AF ES and is  
1668 reviewing and would like to just have some opportunity to negotiate with Permian.

1669  
1670 1:11:20  
1671 I know Permian is would like to move forward, but I will go ahead and say we'd like to  
1672 request that they push to a second status conference.

1673  
1674 1:11:30  
1675 We feel confident that hopefully the parties can come to an agreement by that point,  
1676 real confident that they can.

1677  
1678 1:11:37  
1679 Hopefully.

1680  
1681 1:11:38  
1682 Yeah.

1683  
1684 1:11:39  
1685 Yeah, I had to.

1686  
1687 1:11:41  
1688 I started to say that and then I was like, I gotta add a qualifier in there.

1689  
1690 1:11:45  
1691 So hopefully, I guess I can narrow it down to hopefully.

1692  
1693 1:11:50  
1694 Hey, it's almost Friday, OK?

1695  
1696 1:11:52  
1697 It's been a long.

1698  
1699 1:11:53  
1700 Last week was a long week.

1701  
1702 1:11:56  
1703 Thank you, Miss Vance.

1704  
1705 1:11:57  
1706 OK, Miss McClain, you know I give preference to the applicant and what they want.

1707  
1708 1:12:01  
1709 So what do you want?

1710  
1711 1:12:02  
1712 Well, to motivate them to come to an agreement.

1713  
1714 1:12:06  
1715 I would like to request the October 28th contested hearing docket.  
1716  
1717 1:12:11  
1718 OK, that sounds good.  
1719  
1720 1:12:13  
1721 We'll issue a pre hearing order for October 28th.  
1722  
1723 1:12:15  
1724 And, and Miss Vance, obviously if if if you guys come to an agreement in principle  
1725 and you haven't papered it up, file a motion.  
1726  
1727 1:12:24  
1728 We'll turn it to a status conference and we'll go from there.  
1729  
1730 1:12:28  
1731 Sounds good.  
1732  
1733 1:12:29  
1734 So you have motivation.  
1735  
1736 1:12:30  
1737 Yes.  
1738  
1739 1:12:31  
1740 Yeah.  
1741  
1742 1:12:32  
1743 Thank you, Miss McLean.  
1744  
1745 1:12:34  
1746 We're we're off the record in those cases.  
1747  
1748 1:12:36  
1749 All right, so let's move on now.  
1750  
1751 1:12:38  
1752 It looks like 2 newborn oil cases is 25594 and 25599.  
1753  
1754 1:12:47  
1755 Dana Hardy on behalf of Newborn, thank you.



1756  
1757 1:12:50  
1758 Good morning.

1759  
1760 1:12:51  
1761 Mr.

1762  
1763 1:12:51  
1764 Hearing Examiner Paula Vance with the Santa Fe office of Holland and Hart on  
1765 behalf of Conoco Phillips and Mongoose.

1766  
1767 1:12:58  
1768 OK.

1769  
1770 1:12:59  
1771 And your position, we have entered an appearance and objected and there are two  
1772 other Red Hills cases that we just filed an entry of appearance and objection to.

1773  
1774 1:13:09  
1775 I will go ahead and let you know that we're planning on filing competing applications  
1776 and we'll be filing that for the November 13th docket.

1777  
1778 1:13:18  
1779 I didn't understand when you said there are two other Red Hill cases.

1780  
1781 1:13:22  
1782 What did you talk to me about?

1783  
1784 1:13:23  
1785 Let me pull up the case numbers.

1786  
1787 1:13:25  
1788 We just filed that yesterday because Conoco, Mongoose, they just received those  
1789 applications and I can give you, if you give me one moment, I can give you.

1790  
1791 1:13:38  
1792 So you're saying there's two other newborn Red Hill cases that are not on the  
1793 docket?

1794  
1795 1:13:44  
1796 Yes, that's correct.

1797  
1798 1:13:46  
1799 Well, they're not on this the docket today.

1800  
1801 1:13:49  
1802 So those case numbers are 25638 and 25641.  
1803  
1804 1:13:55  
1805 And it's my understanding that they are also Red Hills applications and Red Hills is  
1806 just a well name, isn't it?  
1807  
1808 1:14:03  
1809 Yes.  
1810  
1811 1:14:04  
1812 OK.  
1813  
1814 1:14:05  
1815 And, and are you OK?  
1816  
1817 1:14:07  
1818 So are you, are you saying that your client Conoco Phillips and Mongoose Minerals  
1819 together?  
1820  
1821 1:14:14  
1822 Yeah, the, it's they're, they're, you know, under the same umbrella for COG entities.  
1823  
1824 1:14:21  
1825 Got it.  
1826  
1827 1:14:21  
1828 So are you saying that they're going to be filing competing applications to all four  
1829 cases?  
1830  
1831 1:14:26  
1832 I don't, I, I haven't looked at everything, but my understanding is, yes, something  
1833 along those lines that they will directly compete with all four of those cases.  
1834  
1835 1:14:34  
1836 And when do you plan on sending out well proposals?  
1837  
1838 1:14:38  
1839 I it's my understanding those have gone out and we are planning on filing the  
1840 applications for the November 13th docket, which is why I would request that we go  
1841 ahead and set another status conference.  
1842  
1843 1:14:52  
1844 But of course we would like to perfect notice.

1845  
1846 1:14:55  
1847 So possibly for the November status conference that way we are done with notice at  
1848 that point and maybe a December hearing.

1849  
1850 1:15:05  
1851 Yes.

1852  
1853 1:15:06  
1854 OK, Miss Hardy, Mr.

1855  
1856 1:15:09  
1857 Examiner, I think that another status conference would be fine on the November  
1858 docket, but I think I would request that the cases be set for contested hearing on the  
1859 December docket.

1860  
1861 1:15:19  
1862 That's available.

1863  
1864 1:15:20  
1865 Fine, but can we resolve these case numbers too or is she correct when she says  
1866 25638 and four?

1867  
1868 1:15:29  
1869 One, that's correct.

1870  
1871 1:15:30  
1872 Those are the other two Red Hills cases and those are currently set on the October  
1873 status conference docket because Kodigo Phillips objected, OK, why were they?

1874  
1875 1:15:41  
1876 So when were they, when the two cases that are on our docket today, 9499, when  
1877 were they filed?

1878  
1879 1:15:47  
1880 Those were filed in August, OK, Why were two cases filed in August and two cases  
1881 filed much more recently?

1882  
1883 1:15:59  
1884 Just the timing of the wall proposals and the filing dates.

1885  
1886 1:16:03  
1887 I don't, but is it all, is it all part of one plan?

1888  
1889 1:16:06  
1890 They're separate sections that are being developed.  
1891  
1892 1:16:09  
1893 So they have the same name, but the acreage is different.  
1894  
1895 1:16:14  
1896 OK, yes.  
1897  
1898 1:16:16  
1899 Would it be appropriate to consolidate them?  
1900  
1901 1:16:20  
1902 I think they could be consolidated.  
1903  
1904 1:16:22  
1905 Would you like us to?  
1906  
1907 1:16:24  
1908 Sure.  
1909  
1910 1:16:24  
1911 OK.  
1912  
1913 1:16:25  
1914 So Freya, will you consolidate 25638 and four one with these two cases?  
1915  
1916 1:16:30  
1917 Yes, All right, excellent.  
1918  
1919 1:16:32  
1920 And then Miss Vance, when do you anticipate filing?  
1921  
1922 1:16:36  
1923 We're going to file for the November 13th and I understand Miss Hardy would like to  
1924 set the contested hearing for December, but I would like to an opportunity to confer  
1925 with my client to make sure our witnesses would be available for that time before  
1926 committing to a date.  
1927  
1928 1:16:52  
1929 Sure.  
1930  
1931 1:16:53  
1932 But all right, so we'll issue a pre hearing order for December 9 and if it doesn't work

1933 for some reason, you'll let us know and we we can be flexible by a day or so this way  
1934 or that.

1935  
1936 1:17:07  
1937 And then Miss Hardy, are you going to continue your cases to the which?

1938  
1939 1:17:13  
1940 What are the docket for a status conference?

1941  
1942 1:17:17  
1943 I think it would be the later November docket.

1944  
1945 1:17:20  
1946 That would make sense to me together.

1947  
1948 1:17:22  
1949 Yeah.

1950  
1951 1:17:22  
1952 That way we've filed perfected notice and then we can consolidate the cases under  
1953 an amended pre hearing order.

1954  
1955 1:17:28  
1956 That's fine.

1957  
1958 1:17:29  
1959 Yes, that works for us too.

1960  
1961 1:17:31  
1962 Will you file a motion to consolidate your when you do file your your cases, I don't  
1963 know how many will there be?

1964  
1965 1:17:39  
1966 Do you know?

1967  
1968 1:17:41  
1969 Oh, there will be 4.

1970  
1971 1:17:41  
1972 So 4 competing with four.

1973  
1974 1:17:43  
1975 So when you file your 4 cases, would you file a motion to to amend the pre hearing  
1976 order to add those cases?

1977  
1978 1:17:50  
1979 Would would it be possible?  
1980  
1981 1:17:53  
1982 Because I just recently did this and I don't remember what cases it was.  
1983  
1984 1:17:57  
1985 It was with some with Miss Bennett.  
1986  
1987 1:17:59  
1988 But I went I went ahead in the application and just requested that the that way it  
1989 saves the filing.  
1990  
1991 1:18:07  
1992 And when you say in the application, is that something for AOL C?  
1993  
1994 1:18:10  
1995 Yes, I'll, I'll make sure that I follow up with Freya so that she knows there's reference  
1996 to the pre hearing order.  
1997  
1998 1:18:16  
1999 And I just request that it be consolidated and set for the pre hearing or the contested  
2000 hearing.  
2001  
2002 1:18:23  
2003 That works too.  
2004  
2005 1:18:24  
2006 You don't have to file a motion that works too.  
2007  
2008 1:18:27  
2009 Miss Hardy, anything further?  
2010  
2011 1:18:28  
2012 No, thank you.  
2013  
2014 1:18:29  
2015 All right.  
2016  
2017 1:18:30  
2018 All right.  
2019  
2020 1:18:30  
2021 So we're off the record in those two cases.

2022  
2023 1:18:36  
2024 Now we're going to move on to our last two cases of the day, it looks like.  
2025  
2026 1:18:40  
2027 255-952-5596.  
2028  
2029 1:18:42  
2030 Matador Production entries of appearance, please.  
2031  
2032 1:18:45  
2033 Good morning, Mr.  
2034  
2035 1:18:46  
2036 Hearing Examiner Paula Vance with the Santa Fe Office of Holland and Heart.  
2037  
2038 1:18:49  
2039 On behalf of the applicant, Matador Production, thank you.  
2040  
2041 1:18:53  
2042 Jackie McClain with Hardy McClain on behalf of Permian Resources.  
2043  
2044 1:18:56  
2045 Thank you.  
2046  
2047 1:18:58  
2048 Sharon Shaheen on behalf of Elephant Cone Properties and the state of Kenneth G  
2049 Cone.  
2050  
2051 1:19:03  
2052 And I'll note that we did receive a well proposal and are in the process of negotiating  
2053 a lease.  
2054  
2055 1:19:09  
2056 And at this time, we're simply monitoring to preserve our rights.  
2057  
2058 1:19:12  
2059 Perfect.  
2060  
2061 1:19:13  
2062 Thank you.  
2063  
2064 1:19:13  
2065 And Miss McLean, what is your position?

2066  
2067 1:19:15  
2068 We've objected.  
2069  
2070 1:19:16  
2071 We've objected.  
2072  
2073 1:19:17  
2074 OK.  
2075  
2076 1:19:17  
2077 And is that all the is that all the parties?  
2078  
2079 1:19:19  
2080 I think there's another entry.  
2081  
2082 1:19:22  
2083 Kotera.  
2084  
2085 1:19:23  
2086 Yeah.  
2087  
2088 1:19:23  
2089 Yes.  
2090  
2091 1:19:24  
2092 Good.  
2093  
2094 1:19:24  
2095 Good morning, Mr.  
2096  
2097 1:19:25  
2098 Examiner, Cena Bennett on behalf of Coterra Energy Operating and Magnum Hunter  
2099 and Simarex Energy.  
2100  
2101 1:19:35  
2102 And we did object to Case 25596.  
2103  
2104 1:19:39  
2105 And yesterday I filed an entry of appearance and objection in case 25595 S Coterra  
2106 objects to both cases moving forward and Coterra is planning on submitting  
2107 competing applications.  
2108  
2109 1:19:55  
2110 OK, perfect.



2111  
2112 1:19:57  
2113 And when you say So what, what, where are you in the process of filing the  
2114 competing applications?

2115  
2116 1:20:03  
2117 Yes.

2118  
2119 1:20:03  
2120 So Kotera did send out well proposals in September, but they were inaccurate  
2121 unfortunately.

2122  
2123 1:20:11  
2124 So Kotera is working on revising the well proposals even as we speak.

2125  
2126 1:20:18  
2127 But what that means is that my.

2128  
2129 1:20:23  
2130 Under the division's rules, I would be filing for the December 4th docket, which then  
2131 would allow us to go to a contested hearing if one's necessary, on December 9th.

2132  
2133 1:20:35  
2134 OK, perfect.

2135  
2136 1:20:36  
2137 All right.

2138  
2139 1:20:36  
2140 Thank you very much.

2141  
2142 1:20:37  
2143 That's, that's helpful.

2144  
2145 1:20:41  
2146 Miss Vance.

2147  
2148 1:20:43  
2149 Yes, so I, my understanding is this, there's obviously we've got a couple of  
2150 objections here and what we would like to do is do another status conference if  
2151 possible and hold off on setting any kind of contested hearing until the parties have  
2152 had an opportunity to touch base and maybe have some discussions.

2153  
2154 1:21:04  
2155 So right now we're just, we'd like to do another status conference.

2156  
2157 1:21:08  
2158 All right, So a status conference in October, that would work.

2159  
2160 1:21:11  
2161 OK.

2162  
2163 1:21:12  
2164 And then so that would be on the second docket.

2165  
2166 1:21:17  
2167 I'm not sure what the date, Freya, when is the 2nd docket in October?

2168  
2169 1:21:21  
2170 It's the 23rd, 23rd.

2171  
2172 1:21:23  
2173 OK.

2174  
2175 1:21:23  
2176 And then at that point, Miss Vance, I'll let you know that that for me will be the final  
2177 status conference.

2178  
2179 1:21:29  
2180 And it'll be up to you to either have the hearing on the 9th of of December or explain  
2181 why you can't have the hearing on the 9th of September.

2182  
2183 1:21:38  
2184 OK.

2185  
2186 1:21:41  
2187 Miss McLean, what was your you objected, didn't you?

2188  
2189 1:21:44  
2190 Yes.

2191  
2192 1:21:44  
2193 And we also sent out, well proposals on October 20th.

2194  
2195 1:21:49  
2196 We're fine with status conference with the understanding that that December 9th  
2197 contested hearing date is out there.

2198  
2199 1:21:55  
2200 Perfect.

2201  
2202 1:21:56  
2203 All right.  
2204  
2205 1:21:57  
2206 Excellent.  
2207  
2208 1:21:57  
2209 So then there will be 3 competing proposals to deal with.  
2210  
2211 1:22:03  
2212 Miss Vance, do you have any idea how much of an interest manager holds in this  
2213 area?  
2214  
2215 1:22:07  
2216 I do not.  
2217  
2218 1:22:08  
2219 OK, not off the top of my head.  
2220  
2221 1:22:09  
2222 I thought you might.  
2223  
2224 1:22:10  
2225 You never know.  
2226  
2227 1:22:11  
2228 OK.  
2229  
2230 1:22:14  
2231 Anything further, Miss Vance?  
2232  
2233 1:22:15  
2234 Nothing from me.  
2235  
2236 1:22:17  
2237 OK.  
2238  
2239 1:22:18  
2240 So Miss McLean, when you do file, you haven't filed them yet.  
2241  
2242 1:22:23  
2243 You're at your competing application?

2244  
2245 1:22:25  
2246 No.  
2247  
2248 1:22:25  
2249 OK.  
2250  
2251 1:22:26  
2252 When you do file them, would you in your, I guess in the application process you're  
2253 able to signal to Freya to consolidate the cases with these two?  
2254  
2255 1:22:36  
2256 OK, OK, good.  
2257  
2258 1:22:37  
2259 Excellent.  
2260  
2261 1:22:37  
2262 Are you and is it 2 cases?  
2263  
2264 1:22:39  
2265 Do you know?  
2266  
2267 1:22:39  
2268 I am not sure yet.  
2269  
2270 1:22:41  
2271 All right.  
2272  
2273 1:22:42  
2274 And and and Miss Bennett, if you would do the same thing when you do file your  
2275 cases, please let Freya know that they compete with these two matador cases and  
2276 to consolidate them.  
2277  
2278 1:22:52  
2279 Yes, I'll, I will do that.  
2280  
2281 1:22:53  
2282 Thank you.  
2283  
2284 1:22:54  
2285 All right, perfect.  
2286  
2287 1:22:55  
2288 Well, thank you.

2289  
2290 1:22:57  
2291 If there's nothing further then just sorry, I missed that.  
2292  
2293 1:23:02  
2294 Just to confirm.  
2295  
2296 1:23:02  
2297 So we're having a status conference on the second docket of in October, October  
2298 23rd.  
2299  
2300 1:23:09  
2301 OK.  
2302  
2303 1:23:10  
2304 And then a pre hearing order is going to be issued for December 9th.  
2305  
2306 1:23:14  
2307 Not yet.  
2308  
2309 1:23:14  
2310 We're going to hold off on October 23rd.  
2311  
2312 1:23:17  
2313 It'll be in my notes that this that will be the final status conference on these  
2314 competing cases and that I'm looking to set them for the 9th.  
2315  
2316 1:23:26  
2317 But I'm not not going to issue because it sounds like maybe we're going to have a  
2318 some sort of resolution, according to Miss Vance.  
2319  
2320 1:23:33  
2321 Hopefully I had to do it.  
2322  
2323 1:23:36  
2324 Might drop the hearing's over.  
2325  
2326 1:23:38  
2327 Right.  
2328  
2329 1:23:40  
2330 Anything further, Miss Bennett?  
2331  
2332 1:23:43  
2333 No, nothing further for me.

2334  
2335 1:23:44  
2336 Thank you.  
2337  
2338 1:23:45  
2339 All right, thank you.  
2340  
2341 1:23:46  
2342 Thank you.  
2343  
2344 1:23:46  
2345 All right, thank you.  
2346  
2347 1:23:47  
2348 We're off the record.  
2349  
2350 1:23:49  
2351 And that concludes today's hearing.