

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

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

CASE NO. 20964

APPLICATION OF OVERFLOW ENERGY, LLC,  
FOR APPROVAL OF A SALT WATER DISPOSAL  
WELL, EDDY COUNTY, NEW MEXICO

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

THURSDAY, AUGUST 20, 2020

SANTA FE, NEW MEXICO

This matter came on for hearing before the  
New Mexico Oil Conservation Division, FELICIA ORTH Hearing  
Examiner, and Technical Examiners SCOTT COX and DEAN  
McCLURE on Thursday, August 20, 2020, Via Webex Video  
conferencing

REPORTED BY: Mary Therese Macfarlane  
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1 A P P E A R A N C E S.

2 FOR THE APPLICANT OVERFLOW ENERGY:

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13 I N D E X

14 CASE NUMBER 20964 CALLED PAGE

15 APPLICANT WITNESSES

16 (Note: No witnesses called.)

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

18 (Note: No exhibits marked.)

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1 (Time noted 9:00 a.m.)

2 HEARING EXAMINER ORTH: Let's move, then, to  
3 Case 20964. This is Overflow Energy. It's an application  
4 for a salt water disposal well. The well name is Rita.

5 Ms. Shaheen, are you here for the  
6 Applicant?

7 MS. SHAHEEN: Yes, I am.

8 HEARING EXAMINER ORTH: All right. Thank you.

9 Marathon Oil is another party. Ms.  
10 Bennett, are you here?

11 MS. BENNETT: I am. Good morning, Madam  
12 Examiner. This is Deana Bennett.

13 HEARING EXAMINER ORTH: All right. So you're  
14 appearing instead of Ms. Bradfute here.

15 MS. BENNETT: I am. Thank you.

16 HEARING EXAMINER ORTH: And I have us down for a  
17 status conference. Let me check for just a moment to see  
18 if there are any other parties who would like to enter an  
19 appearance. (Note: Pause.)

20 No. All right.

21 Ms. Shaheen, if you would, please.

22 MS. SHAHEEN: Thank you. This Application was  
23 Previously heard in December and it's been reset to hear a  
24 specific issue, so I'm thinking that it may not take a  
25 whole day because it is limited to the one issue that was

1 previously raised by Marathon. And I've talked with my  
2 clients about October/November and they were available in  
3 those months, but I'm happy to take some December dates  
4 back to them if that is all the Division has available at  
5 this time.

6 HEARING EXAMINER ORTH: So November 5th, which  
7 is the early hearing session in November would be  
8 available for a partial-day hearing, because of course we  
9 need to get through the regular hearings set before we  
10 turn to a special hearing.

11 If you believe we could fit this in in what  
12 is left of the day, we could set it on November 5th;  
13 otherwise we would be moving into, let's see, December 3rd  
14 or December 17.

15 MS. SHAHEEN: Madam Examiner, if our regular  
16 hearings go the way they have been going, we're done at a  
17 relatively -- you know, midmorning, I think that would be  
18 fine. Ms. Bennett may have some other ideas about it.

19 MS. BENNETT: Thank you. I agree that the  
20 hearing won't take a full day. The only thing I'm not  
21 sure about right now is Marathon's availability for  
22 November 5th, and so I've just emailed Marathon, or texted  
23 them to see if that date works for them.

24 So if it's possible to provisionally hold  
25 that date while I confirm with Marathon that they are

1 available that day, I think it would work for Marathon.

2 HEARING EXAMINER ORTH: All right.

3 So I'm going to tentatively put you there,  
4 and if you would then please submit a Draft Scheduling  
5 Order with either the November 5th date, if in fact  
6 Marathon is available, or you have the December 5th date  
7 if that's the next time you're both available.

8 MS. SHAHEEN: Thank you, Madam Examiner. I will  
9 circulate a draft to Ms. Bennett and we will get that to  
10 you as soon as we can.

11 HEARING EXAMINER ORTH: Thank you.

12 MS. BENNETT: Thank you both.

13 HEARING EXAMINER ORTH: Yeah. Thank you both.

14 (Note: Time noted 9:02 a.m.)

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1 STATE OF NEW MEXICO ).

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3 COUNTY OF TAOS )

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5 REPORTER'S CERTIFICATE

6 I, Mary Therese Macfarlane, New Mexico Certified  
7 Court Reporter No. 122, do hereby certify that on  
8 Thursday, August 20, 2020, the proceedings in the  
9 above-captioned matter were taken before me; that I did  
10 report in stenographic shorthand the proceedings set forth  
11 herein, and the foregoing pages are a true and correct  
12 transcription to the best of my ability and control.

13 I further certify that I am neither employed by  
14 nor related to nor contracted with (unless excepted by the  
15 rules) any of the parties or attorneys in this case, and  
16 that I have no interest whatsoever in the final  
17 disposition of this case in any court.

18

/s/ Mary Marfarlane

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20 Mary Therese Macfarlane, CCR  
21 NM Certified court Reporter No. 122  
License Expires: 12/31/2020

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