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

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

CASE NOS: 22782
APPLICATION OF WHIPTAIL MIDSTREAM LLC
FOR HEARING ON REMEDIATION AND CLOSURE PLAN,
RIO ARRIBA COUNTY, NEW MEXICO.

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS
EXAMINER HEARING
AUGUST 4, 2022
SANTA FE, NEW MEXICO

This matter came on for virtual hearing before
the New Mexico Oil Conservation Division, HEARING OFFICER
WILLIAM BRANCARD and TECHNICAL EXAMINER JOHN GARCIA on
Thursday, August 4, 2022, through the Webex Platform.

Reported by: PAUL BACA PROFESSIONAL COURT REPORTERS
500 Fourth Street, NW, Suite 105
Albuquerque, NM 87102
505-843-9241

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A P P E A R A N C E S

For the Applicant:

DARIN SAVAGE

ABADIE & SCHILL

214 McKenzie Street
Santa Fe, New Mexico 87501

For the Division:

Kaitlyn Luck

1220 S. St. Francis Drive
Santa Fe, NM 87501

I N D E X

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1 HEARING EXAMINER BRANCARD: All right. So with
2 that, I'm looking at Item Number 15, Case 22782, whiptail
3 Midstream.

4 MR. SAVAGE: Mr. Hearing Examiner, Darin Savage
5 with the Santa Fe office of Abadie & Schill appearing on
6 behalf of Whiptail Midstream.

7 HEARING EXAMINER BRANCARD: I think we have a
8 call-in user that needs to be muted.

9 MS. LUCK: Good morning, Mr. Hearing Examiner,
10 Kaitlyn Luck with the Oil Conservation Division.

11 HEARING EXAMINER BRANCARD: Thank you.

12 We have another call-in user that needs to be
13 muted. Sorry, not you, Ms. Luck.

14 Okay. All right. Where are we, Mr. Savage, on
15 this case?

16 MR. SAVAGE: Mr. Hearing Examiner, Whiptail is
17 waiting for a response on a dispute over a plan, some issues
18 have been raised. And we did an application for a hearing,
19 but we also asked that the hearing be stayed, and the
20 intentions of the discussion is to resolve the matter. And
21 that's where we are at this point. I understand that the
22 Division is doing some internal work in this area, and I
23 believe Ms. Luck can speak to that.

24 MS. LUCK: Mr. Savage is correct, the Division is
25 working on an internal process right now that we believe

1 will resolve the issues in this case. And so for that
2 reason we would like for this to be pushed out to the next
3 available hearing for another status conference. The
4 Division's internal procedure should be completed in about
5 30 days, and so we would ask for it to be continued after 30
6 days.

7 HEARING EXAMINER BRANCARD: Mr. Savage, any
8 concerns, comments?

9 MR. SAVAGE: Mr. Hearing Examiner, we are
10 agreeable to that. That seems very reasonable.

11 HEARING EXAMINER BRANCARD: So after 30 days will
12 get us to September 15 or October 6. Did you want some
13 time -- I'm sorry -- Ms. Luck.

14 MS. LUCK: No, go ahead.

15 HEARING EXAMINER BRANCARD: Do you need some time
16 to think about what the Division is going to give you, Mr.
17 Savage?

18 MR. SAVAGE: We do. We would like to review the
19 response, and, if necessary, maybe reply prior to going to a
20 hearing. We are hopeful this matter can be resolved. It
21 seems to be on that pathway currently.

22 HEARING EXAMINER BRANCARD: So what if we set a
23 status conference for October 6. Will that work for
24 everyone? Ms. Luck?

25 MS. LUCK: That works for the Division, yes.

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HEARING EXAMINER BRANCARD: Thank you. Mr. Savage?

MR. SAVAGE: Thank you.

HEARING EXAMINER BRANCARD: Thank you. Anyone else then on case 22782?

(No audible response.)

HEARING EXAMINER BRANCARD: Hearing none --

(Concluded.)

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STATE OF NEW MEXICO
COUNTY OF BERNALILLO

REPORTER'S CERTIFICATE

I do hereby certify that I reported the foregoing virtual proceedings in stenographic shorthand and that the foregoing pages are a true and correct transcript of those proceedings to the best of my ability.

I FURTHER CERTIFY that I am neither employed by nor related to any of the parties or attorneys in this case and that I have no interest in the final disposition of this case.

I FURTHER CERTIFY that the Virtual Proceeding was of poor to good quality.

Dated this 4th day of August 2022.

Irene Delgado
Court Reporter
License Expires: 12-31-22

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