1		STATE OF NEW MEXICO	
2	ENERGY, MINE	RALS, AND NATURAL RESOURCES DEPARTMEN	Т
3		OIL CONSERVATION DIVISION	
4			
5	IN THE MATTER	OF THE HEARING	
6	CALLED BY THE	OIL CONSERVATION	
7	DIVISION FOR T	'HE PURPOSE OF	
8	CONSIDERING:		
9		Docket No.	
10		23-22 OCD	
11	APPLICATION OF	MEWBOURNE OIL	
12	COMPANY FOR CO	MPULSORY POOLING	
13	AND APPROVAL C	F OVERLAPPING WELL	
14	UNITS, EDDY CO	UNTY, NEW MEXICO	
15			
16		VIDEOCONFERENCE HEARING	
17	DATE:	Thursday, October 20, 2022	
18	TIME:	9:18 a.m.	
19	BEFORE:	Hearing Officer Bill Brancard	
20	LOCATION:	Remote Proceeding	
21		Santa Fe, NM 87501	
22	REPORTED BY:	Dana Fulton, Notary Public	
23	JOB NO.:	5520212	
24			
25			
		Page 1	

1	A P P E A R A N C E S
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1 A P P E A R A N C E S (Cont'd)2 ON BEHALF OF COG OPERATING 3 OCEAN MUNDS-DRY, ESQUIRE Holland and Hart 4 5 110 North Guadalupe, Suite 1 6 Santa Fe, NM 87501 7 8 PAULA VANCE, ESQUIRE Holland and Hart 9 110 North Guadalupe, Suite 1 10 11 Santa Fe, NM 87501 12ON BEHALF OF BROWNING OIL COMPANY 13 14 TERRANCE O'HARE, ESQUIRE 15 CALVIN NICKS 16 Emerald Energy 17 4925 Greenville Avenue, #600 18 Dallas, TX 75206 19 20 21 22 23 24 25 Page 5

1		EXHIBITS	
2	NO.	DESCRIPTION	ID/EVD
3	Items 48-51:		
4	Exhibits Al-4	Supplemental hearing packet	24/24
5		(Exhibits retained by counse.	l.)
6			
7	NO.	DESCRIPTION	ID/EVD
8	Item 54:		
9	Exhibits	Supplemental exhibits	26/26
10		(Exhibits retained by counse.	L.)
11			
12	NO.	DESCRIPTION	ID/EVD
13	Item 55:		
14	Exhibits	Notice documents	28/28
15		(Exhibits retained by counse)	l.)
16			
17	NO.	DESCRIPTION	ID/EVD
18	Items 56-57:		
19	Exhibit Al	C-102	30/35
20	Exhibit A2	Sample overlapping letter	30/35
21	Exhibit A3	Land tract map	30/35
22	Exhibit A4	Sample well proposal	30/35
23	Exhibit A5	Chronological contacts	30/35
24	Exhibit B1	Locator map	30/35
25	Exhibit B2	Sub C structure map	30/35
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25			
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16			
15	(	Exhibits retained by counsel.)	
14	Exhibit C4	Structural cross section	38/51
13	Exhibit C3	Structural contour map	38/51
12	Exhibit C2	Type log	38/51
11	Exhibit Cl	Locator map	38/51
10	Exhibit B	Preliminary approval letter	37/51
9	Exhibit A	Copy of application	37/51
8	Item 58:		
7	NO.	DESCRIPTION	ID/EVD
6			
5		(Exhibits retained by counse	1.)
4	Exhibit C	Statement of Notice	30/35
3	Exhibit B4	Stratigraphic cross section	30/35
2	Exhibit B3	Cross-section map	30/35
1		EXHIBITS (Cont'd)	
г			

1	PROCEEDINGS
2	THE HEARING OFFICER: Good morning. We
3	are now recording. This is Bill Brancard, Hearing
4	Officer for the New Mexico Energy Minerals and Natural
5	Resources Department, Oil Conservation Division.
6	These are the hearings of the Oil Conservation
7	Division on October 20, 2022. With me today as
8	technical examiner is Dylan Rose-Coss. Mr. Rose-Coss,
9	give us a shout.
10	MR. ROSE-COSS: Good morning, everyone.
11	THE HEARING OFFICER: Excellent. So I
12	already made the announcement about our switching of
13	Webex systems again. I think it should be pretty
14	seamless for everyone, but hopefully if there are
15	problems, we can deal with them. So, what other
16	announcements.
17	Mr. Rose-Coss, any other announcements?
18	THE HEARING OFFICER: No, Mr. Brancard,
19	I don't believe so. Was there an announcement
20	regarding web addresses though?
21	THE HEARING OFFICER: Yes. I want to
22	make that announcement. You know, I we we sent
23	out notice a while back that addresses for our agency
24	had changed. So all our email addresses have a
25	different ending.

1 That's not a big deal. If you use the 2 old one, the old one will be around for a while. But 3 it also means that when you are putting notices in -when you are putting addresses, web addresses, in your 4 5 notices that you send out to people, you must have the 6 new address because the old addresses are going away, 7 if not having already gone away. So we will be 8 checking your notices going forward to make sure that 9 you're putting the correct address in. 10 And I believe everybody was sent a 11 notice, Marlene, is that correct? Giving the new 12 addresses? Or connection? 13 MS. SALVIDREZ: Yes. 14 THE HEARING OFFICER: Thank you. 15 So please be aware and update the 16 notices that you send out to folks that use our 17 addresses in them. All right. With that, as always, our 18 docket worksheet is listed on our website. You can 19 20 access it. We have, I believe, 58 cases listed today. 21 But most of them are status conferences, a few 22 continuances. So we may be done early today. But 23 we'll see. Maybe there'll be complications. 24 Anyway, with that, I would like to 25 start with cases 1 through 9, which are status Page 9

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1 conferences. And I'll call the case numbers. 21361, 2 21362, 21363, 21364, 21393, 21394, 21489, 21490, and 3 21491. So appearances by Mewbourne Oil Company. MS. HARDY: Good morning, Mr. Examiner. 4 5 Dana Hardy with the Santa Fe office of Hinkle Shanor 6 from Mewbourne Oil Company. 7 THE HEARING OFFICER: Thank you. 8 Ascent Energy. 9 MR. SAVAGE: Good morning, Mr. Hearing Examiner. Darin Savage with Abadie and Schill, Santa 10 11 Fe office for Matadore Production Company, successor 12 to Ascent Energy. 13 THE HEARING OFFICER: Okay. All right. 14 And so, Apache Corporation. 15 MR. SMITH: Good morning, Mr. Examiner. 16 Bryce Smith with Modrall Sperling on behalf of Apache Corporation. 17 Thank you. And I 18 THE HEARING OFFICER: believe we have a few other entries of appearances in 19 20 these cases. I see Colgate Operating? 21 MS. SHAHEEN: Good morning, everyone, 22 Mr. Examiner. Sharon Shaheen on behalf of Colgate 23 Operating. 24 THE HEARING OFFICER: All right. EOG 25 Resources? Page 10

[	
1	MR. PADILLA: Mr. Examiner, Earnest L.
2	Padilla for EOG Resources, and we're just monitoring
3	these cases.
4	THE HEARING OFFICER: Thank you. I
5	believe there is an entry for some of the cases from
6	Jalapeno Corporation.
7	MR. BECK: Good morning, Mr. Hearing
8	Examiner. Matt Beck on behalf of Jalapeno.
9	THE HEARING OFFICER: Thank you. Are
10	there any other appearances, cases 21361, 362, 363,
11	364, 393, 394, 489, 490, 491? Hearing none, I guess
12	we'll start with Ms. Hardy. We've been dancing these
13	cases around for a while
14	MS. HARDY: Mr. Examiner, it's my
15	understanding that the parties are still negotiating
16	and are making progress, so we would propose to set
17	this case for another status conference on the
18	December 1st docket. And we've been in touch with the
19	other counsel and I believe that everyone is okay with
20	that date.
21	THE HEARING OFFICER: All right.
22	Mr. Savage?
23	MR. SAVAGE: Ms. Hardy is correct. We
24	are satisfied with that date, and we prefer to do
25	another status conference to try to resolve these
	Page 11

1 matters. 2 THE HEARING OFFICER: All right. Mr. Smith? 3 4 MR. SMITH: That's correct, Mr. 5 Examiner. No objection. 6 THE HEARING OFFICER: Any other 7 comments on that proposal? Hearing none, with that, 8 cases 21361, 362, 363, 364, 393, 394, 489, 490, 491 9 will be set for a status conference on December 1 --10 MS. HARDY: Thank you. 11 THE HEARING OFFICER: -- scheduling 12 order. 13 MR. SMITH: Thank you much. MS. HARDY: 14 Thank you. 15 THE HEARING OFFICER: All right. With 16 that, we have a whole other slew of cases. These are 17 items 10 through 21 on the worksheet. These are cases 22274, 22275, 22276, 22277, 22600, 22601, 22602, 18 22603, and 22501, 22502, and 22503 and 22504. 19 20 Mewbourne Oil Company. 21 MR. BRUCE: Mr. Examiner, Jim Bruce 22 representing Mewbourne. 23 THE HEARING OFFICER: Thank you. 24 Matadore Production Company. 25 MR. FELDEWERT: Good morning, Mr. Page 12

1 Brancard and Mr. Rose-Coss. Michael Feldewert with 2 the Santa Fe office of Holland and Hart. 3 THE HEARING OFFICER: Thank you. All right. I see an entry from Jalapeno Corporation. 4 5 MR. BECK: Good morning, again, Mr. 6 Examiner. Matt Beck on behalf of Jalapeno 7 Corporation. 8 THE HEARING OFFICER: All right. I see 9 for some of these cases an entry from EOG Resources. Beatty and Wozniak? 10 11 Are there any other entries of 12 appearance then for these cases, 22274, 275, 276, 277, 13 600, 601, 602, 603, 501, 502, 503, 504. 14 I believe I see Beatty and Wozniak. 15 MR. PARROT: Good morning, Mr. 16 Examiner. Sorry. I was having trouble with unmuting 17 myself and starting my video. But everything just popped into being all of a sudden. So glad to be here 18 19 and representing EOG Resources this morning. 20 THE HEARING OFFICER: Thank you. James Parrot, for the record. 21 22 MR. PARROT: Thank you. Yes. 23 THE HEARING OFFICER: Right. Well, I 24 don't know if you were here at the beginning, Mr. 25 Parrot, but we are shifting to a new Webex platform Page 13

1 that they are sort of forcing us into, so we're 2 experimenting with today to see whether there are 3 issues. So --4 MR. PARROT: So I'm probably the first 5 issue. I've been on for about half an hour now, and 6 didn't have any problem earlier. But now just a few 7 minutes ago I clicked on mute and I couldn't unmute 8 myself and there was no option for video. So I'll ask 9 our IT people to look at that. Maybe it's something 10 on my end. 11 THE HEARING OFFICER: All right. So 12 when you -- just to stop for a second. When you all 13 see the notice, public notice where it gives the click on thing, you click on the thing that says "panelist". 14 15 Because basically I think everybody is admitted Okav? 16 as a panelist whether they like it or not. And so 17 that's just -- just information there. So don't click 18 on it if you're on a video game or something. There's other choices now. 19 20 Anyway. Where are we? Let's start 21 with Mr. Bruce. 22 MR. BRUCE: Whoops. 23 THE HEARING OFFICER: I don't like 24 that. 25 Mr. Bruce? Last we heard was the word Page 14

1 "whoops". That's not a good sign. Where are you? 2 MR. BRUCE: Still there? 3 THE HEARING OFFICER: Yes. We can hear 4 you. 5 MR. BRUCE: I -- I hit the wrong button 6 on my phone. 7 Mr. Examiner, first of all, and I think 8 Mr. Feldewert would agree, these -- this bunch of 9 cases is also related to cases 22 through 29, and separately 30 through 45. And the parties have been 10 11 in discussions for quite some time. They -- I think 12 they -- hopefully they're moving more toward a 13 conclusion of all this mess. But I think Mewbourne would like to get them set for some hearing date, and 14 15 I know that the upcoming dockets are sort of full. So 16 I don't know what -- what date we'd set for. But they 17 need to be continued, and let the parties negotiate. And with that, I'd turn it over to Mr. Feldewert. 18 19 THE HEARING OFFICER: All right. Mr. 20 Feldewert? Are these cases related to other cases? 21 Can we do them all as one big jumble, or --MR. FELDEWERT: You know I -- I think, 22 Mr. Examiner, I had the pleasure of sorting this out 23 24 last night and I think the issue is you have different 25 parties -- different third parties other than Mr.

Bruce and I in some of these cases and not in others.
So I think right now the way you have them grouped is
correct.

But Mr. Bruce is also correct in that 4 5 the parties have been involved in some rather extensive and complicated trade discussions involving 6 all of this acreage. That's why all of these cases 7 8 are held up at this point, and those discussions, as I 9 understand it, are continuing. They hope to reach a resolution on trades that would essentially resolve 10 11 all of these cases. They're just not there yet. 12 So I agree with Mr. Bruce. A 13 continuance for another status conference is -- is 14 warranted. Where are we, October? Maybe December? 15 To see where we are at that point in time? But I do 16 believe you need to -- just because there's different 17 parties have separate borders perhaps for each of the current three sets of cases. 18 19 MR. BRUCE: I'm fine with that. 20 THE HEARING OFFICER: Mr. Bruce did say 21 hearing, not status conference. So, what is your 22 position on that, Mr. Feldewert? 23 MR. FELDEWERT: My -- my 24 understanding -- my client would support -- request 25 another status conference. They -- they suggested Page 16

1 December. 2 THE HEARING OFFICER: Mr. Bruce? I'll 3 toss it back to you. MR. BRUCE: Well, let me see here. 4 5 THE HEARING OFFICER: So we could do a status conference on December 1st or a hearing on 6 7 December 15th. There are your choices. 8 MR. BRUCE: Okay. Well, Mr. Examiner, 9 if -- if we could do a status conference on the first, I think that would be fine. If that's okay with Mr. 10 11 Feldewert. 12 MR. FELDEWERT: Certainly. 13 THE HEARING OFFICER: All right. Thank 14 you. So I'll -- then ask Mr. Beck. 15 Any comments? 16 MR. BECK: No, Hearing Examiner. 17 That's fine. 18 THE HEARING OFFICER: Thank you. 19 Mr. Parrot? 20 MR. PARROT: No comment. Thank you. 21 THE HEARING OFFICER: All right. So, 22 any other persons? Last chance cases 22274, 75, 76, 77, 600, 1, 2, 3, 501, 2, 3, 4? Hearing none, these 23 24 cases will be set for a status conference on December 25 lst.

1 Okay. We will call then items 22 2 through 29. These are cases 22423, 22424, 22425, 22426, 22496, 22497, 22498, 22499. Once again, 3 4 Mewbourne Oil Company. 5 MR. BRUCE: Jim Bruce from Mewbourne. 6 THE HEARING OFFICER: Thank you. 7 Matadore Production Company? 8 MR. FELDEWERT: Good morning, Mr. 9 Examiner. Michael Feldewert with the Santa Fe office 10 of Holland and Hart. 11 THE HEARING OFFICER: Okay. Colgate 12 Operating. 13 MR. SMITH: Good morning, Mr. Examiner. 14 Bryce Smith with Modrall Sperling on behalf of Colgate 15 Operating. 16 THE HEARING OFFICER: Okay. Does 17 Colgate have any positions different than what you've heard in the last group of cases? 18 19 MR. SMITH: No, Mr. Examiner. No 20 objection. 21 THE HEARING OFFICER: Thank you. 22 And Jalapeno Corporation? 23 MR. BECK: Matt Beck on behalf of 24 Jalapeno Corporation. 25 THE HEARING OFFICER: And would you be Page 18

1 okay with a December 1 status conference for these 2 cases? 3 MR. BECK: Yes, sir, Hearing Examiner. 4 Thank you. 5 THE HEARING OFFICER: Thank you. All 6 right. 7 Mr. Feldewert, are we going to try to 8 do the same thing here? 9 MR. FELDEWERT: Yes, sir. 10 THE HEARING OFFICER: Mr. Bruce, is 11 that okay? 12 MR. BRUCE: Yes, sir. 13 THE HEARING OFFICER: All right. 14 December 1. It's looking pretty full already. All 15 Thank you. So cases 22274 through 77, 22600 right. 16 through 603, 22501 through 504 are set for a status --17 sorry. We already did those. 18 UNIDENTIFIED SPEAKER: Yes. 19 THE HEARING OFFICER: 22423 -- sorry. 20 Getting myself confused here. Through 22496 and 22497 21 through 22499 are set for a status conference on 22 December 1st. 23 Okay. With that, we are on item number 24 30 through 35. These are cases 22429, 22430, 22431, 25 22432, 22433, 22434. Mewbourne Oil Company. Page 19

1 MR. BRUCE: Jim Bruce on behalf of 2 Mewbourne. 3 THE HEARING OFFICER: All right. I 4 have an entry then from COG Operating. 5 MS. MUNDS-DRY: Good morning, Mr. Hearing Examiner. Ocean Munds-Dry with COG Operating, 6 7 LLC. 8 THE HEARING OFFICER: All right. I 9 have EOG Resources. 10 MR. FELDEWERT: May it please Examiner, 11 Michael Feldewert from the Santa Fe office of Holland 12 and Hart. 13 THE HEARING OFFICER: Thank you. And 14 MRC Permian. 15 MR. FELDEWERT: Michael Feldewert again 16 with the Santa Fe office of Holland and Hart. And Mr. 17 Examiner, I believe you can combine these -- this set of Mewbourne cases with the Matadore cases numbers 36 18 19 through 45 on your docket. The Simon Camamile. 20 THE HEARING OFFICER: Yes. Yeah. Let 21 me call those cases. Cases 22912, 22913, 22914, 22 22915, 22916, 22917, and also cases 22989, 22990, 23 22991, and 22992. And that would be Holland and Hart 24 representing Matadore? 25 MR. FELDEWERT: Yes, sir. Page 20

1	THE HEARING OFFICER: Are there any
2	other entries of appearances for the cases I have just
3	called? Other than those who already entered previous
4	cases? Hearing none, all right. Let's are we
5	going to try to do all these together also?
6	MR. FELDEWERT: Yes, Mr. Examiner.
7	Again, this is the large block of acreage that is the
8	subject of discussion between the two companies, so I
9	think it would be appropriate to likewise place these
10	matters on a status conference for December 1st.
11	THE HEARING OFFICER: Thank you. Ms.
12	Munds-Dry?
13	MS. MUNDS-DRY: No objection. Thank
14	you.
15	THE HEARING OFFICER: Thank you. All
16	right. So hearing that, cases 22429 through 22434,
17	cases 22912 through 22917, and 22989 through 22992 are
18	set for a status conference on December 1st.
19	MR. FELDEWERT: There you go, Mr.
20	Brancard. You're almost through your docket.
21	THE HEARING OFFICER: Exactly. All
22	right. So we are now all the way down to item 46.
23	This should go quickly too. Items 46 and 47, cases
24	22998, 22999, Matadore Production Company.
25	MR. FELDEWERT: Good morning, Mr.
	Page 21

1 Examiner. Michael Feldewert from the Santa Fe office 2 of Holland and Hart. THE HEARING OFFICER: And I believe --3 are there any other entries for cases 22998 or 22999? 4 5 I believe, Mr. Feldewert, you have filed -- have a late file motion to dismiss these 6 7 cases? Is that correct? 8 MR. FELDEWERT: Yes, sir. THE HEARING OFFICER: All right. 9 Was it late filed? 10 MR. FELDEWERT: 11 THE HEARING OFFICER: Well --12 MR. FELDEWERT: I think we filed --13 THE HEARING OFFICER: Late enough to 14 that we couldn.t get you off the docket. 15 MR. FELDEWERT: Got it. Okav. 16 THE HEARING OFFICER: That's -- that's 17 why they were late filed. 18 MR. FELDEWERT: Okay. 19 THE HEARING OFFICER: Are there any -so, hearing none, I know that Mr. Rose-Coss is deeply 20 21 disappointed because he was prepared to discuss R1-11-22 P, but --23 MR. FELDEWERT: We -- a great topic of discussion that we will save for another day. 24 25 THE HEARING OFFICER: Yes. I -- I --Page 22

1	it is it is not going away. So with that, with no
2	objections, cases 22998 and 22999 will be dismissed.
3	MR. FELDEWERT: Thank you.
4	THE HEARING OFFICER: All right. Let's
5	get on to some continuances from our last hearing
6	date, see where everybody is with things they needed
7	to go. So, we will call items 48 through 51. These
8	are cases 23037, 23038, 23039, 23040. Apache
9	Corporation.
10	MR. SMITH: Good morning, Mr. Examiner.
11	Bryce Smith with Modrall Sperling on behalf of Apache
12	Corporation.
13	THE HEARING OFFICER: Thank you. Are
14	there any other appearances for cases 23037, 38, 39,
15	40? Hearing none, Mr. Smith I believe we asked you to
16	file a whole bunch of corrections and deal with notice
17	issues. I see that there is a whole filing which you
18	have submitted. If there's anything you want to
19	discuss about that, let us know.
20	MR. SMITH: No, Mr. Examiner, that's
21	correct. We asked that the cases be continued so that
22	we could provide notice. There were some parties that
23	didn't get it originally. We've done that and we also
24	published again out of an abundance of caution. So
25	that was all included in our supplemental exhibit

1 packet which we filed on Tuesday. 2 THE HEARING OFFICER: Thank you. 3 Mr. Rose-Coss? Any questions? 4 MR. ROSE-COSS: None, sir. Thank you. 5 THE HEARING OFFICER: All right. So I 6 assume you want those exhibits admitted into the 7 record, Mr. Smith? 8 MR. SMITH: Yeah. Yes, Mr. Examiner. 9 We would ask that Exhibits A1 through 4 be admitted into the record and that this case be taken under 10 11 advisement. 12 THE HEARING OFFICER: Thank you. So 13 with that, the supplement exhibits will be admitted into the record and these cases will be taken under 14 15 advisement. 16 (Exhibits A1 through A4 were marked for identification and received into 17 evidence.) 18 19 Thank you, Mr. Examiner. MR. SMITH: 20 THE HEARING OFFICER: And with that, I 21 call items 52 and 53. Cases 23047, 23048. Tascosa 22 Energy Partners. 23 MS. MCCLAIN: Good morning, Mr. 24 Examiner. Jackie McClain on behalf of Tascosa Energy 25 Partners.

1 THE HEARING OFFICER: Thank you. All 2 And I believe we had an issue with the right. 3 contents of the notice? Is that correct? 4 Yes, Mr. -- yes, Mr. MS. MCCLAIN: 5 Examiner. These cases were continued from the October 6 6th docket to correct the formation in the notice that 7 we sent out by the OCD. And it appears from the OCD 8 website that the notice went out with the correct 9 information and in a timely manner. 10 Thank you. THE HEARING OFFICER: I did 11 check the notices also, and they are correct. 12 Are there any other persons with 13 comments on cases 23047 or 23048? Hearing none, these cases will be taken under advisement. 14 15 MS. MCCLAIN: Thank you. 16 THE HEARING OFFICER: With that, I call item number 54. Case 23080, Mewbourne Oil Company. 17 18 MR. BRUCE: Mr. Examiner, Jim Bruce 19 representing Mewbourne. 20 THE HEARING OFFICER: Thank you. Any 21 other persons for case 23080? Hearing none, thank 22 This was continued from October 6th. Mr. Bruce, you. can you explain what you submitted to us? 23 24 MR. BRUCE: The two -- the notice 25 published in the newspaper was published a day late. Page 25

1 That's the primary issue. So it was continued just to 2 cure that defect. And then in the interim I updated 3 the file with a -- I updated the notice affidavit and filed a notice -- certified notice spreadsheet. 4 5 THE HEARING OFFICER: Thank you. 6 Mr. Rose-Coss, any questions? 7 MR. ROSE-COSS: No questions. 8 THE HEARING OFFICER: Thank you. Are 9 there any other persons here for case 23080? Hearing none, the exhibits -- supplemental exhibits will be 10 11 admitted into the record and the case will be taken 12 under advisement. 13 (Exhibits were marked for identification and received into 14 15 evidence.) 16 THE HEARING OFFICER: With that, item 17 number 55, case 23082, Mewbourne Oil Company. MR. BRUCE: Jim Bruce on behalf of 18 19 Mewbourne. 20 THE HEARING OFFICER: Thank you. Any 21 other persons for case 23082? 22 Hearing none, Mr. Bruce, please This one got a little confusing last time 23 explain. 24 because I believe we are reclassifying this as an 25 amendment rather than a new application. Is that Page 26

1 correct? 2 MR. BRUCE: I -- I filed to reopen 3 case, I believe it's 22646, to pool additional 4 attorneys and before the hearing date, a pooling order 5 was issued in case 22646. So really what I'm seeking to do, as you noted on the record, was to amend the 6 7 order to include additional parties, I quess is the 8 way -- or just to have the order cover the additional 9 parties being pooled in this matter. 10 THE HEARING OFFICER: Thank you. And 11 the notice documents you have provided as your 12 exhibits, do those pertain to the additional parties? 13 MR. BRUCE: Yes. 14 THE HEARING OFFICER: Okay. Are there 15 any other exhibits that you have for us? 16 MR. BRUCE: Unless you think of some 17 and want to email me, I -- I think -- I think this is it. 18 19 THE HEARING OFFICER: All right. Are 20 there any other questions or concerns then. 21 Well, first, Mr. Rose-Coss, any 22 questions? 23 MR. ROSE-COSS: No questions or 24 concerns from me. 25 THE HEARING OFFICER: Thank you. Any Page 27

1	
1	other interested persons then in case 23082? Hearing
2	none, the exhibits will be admitted into the record.
3	The case will be taken under advisement, and we will
4	classify this as an amendment to an existing order.
5	(Exhibits were marked for
6	identification and received into
7	evidence.)
8	MR. BRUCE: Thank you.
9	THE HEARING OFFICER: All right. So
10	with that, we have some actual hearings. But not a
11	lot. I will call items 56 and 57. These are cases
12	23050, 23051. COG Operating.
13	MS. VANCE: Good morning, Mr. Hearing
14	Examiner and Mr. Rose-Coss. Paula Vance with the
15	Santa Fe office of Holland and Hart and behalf of the
16	application, COG Operating, LLC.
17	THE HEARING OFFICER: Thank you. Are
18	there any other interested persons for cases 23050 or
19	23051? Hearing none, Ms. Vance to explain.
20	MS. VANCE: So in case 23050, COG seeks
21	to pull uncommitted interest. Owners within the Bone
22	Spring formation. The pools are the Delaware River,
23	Bone Spring with a pool code 16800. And the Hay
24	Hollow Bone Spring North, pool code 30216. Underlying
25	a standard 960-acre horizontal spacing unit comprised
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Paul Baca Professional Court Reporters A Veritext Company of the east half of the west half and the west half of
the east half of sections 24, 25, and 36. Township 25
South Range 27 East, Eddy County, New Mexico. COG
seeks to dedicate the spacing unit to the proposed
Atticus State Com 521H well.

And then in case 23051, COG seeks to 6 7 pool uncommitted interest owners within the Bone 8 Spring formation with the same two pools, the Delaware 9 River Bone Spring pool code 16800, and the Hay Hollow Bone Spring North, pool code 30216. And that's 10 11 underlying a standard 480-acre horizontal spacing unit 12 comprised of the west half/west half of Sections 24, 13 25, and 36 of Township 25 South, Range 36 East, Eddy 14 County, New Mexico. And COG seeks to dedicate the 15 spacing unit to the proposed Attic State Com 522H 16 well.

17 In these cases, we have provided the compulsory pooling checklist, as well as self-affirmed 18 19 statement of landman Shelly Klinger [ph], and geologist Jessica Pontiff, both of whom have 20 previously testified before the division, and their 21 22 credentials have been accepted as a matter of record. 23 Ms. Klinger's [ph] statement is Exhibit 24 A -- Ms. Klinger's [ph] statement is Exhibit A, which 25 includes sub exhibits A1, the C-102's, A2, a sample of

1 the overlapping letter and waiver that was sent out. 2 A3, a land tract map and ownership breakdown. A4, a sample well proposal letter with AFE's, and A5, a 3 chronology of contacts. 4 (Exhibits A1-5 were marked for 5 identification.) 6 7 This is followed by Ms. Pontiff's 8 statement, which is exhibit B, and includes sub 9 exhibits B1, a locator map, B2, a sub-C structure map, B3, a cross-section map, and B4, a stratigraphic cross 10 11 section. 12 (Exhibits B1-4 were marked for 13 identification.) In the case, Ms. Pontiff did not 14 15 observe any faulting, pinch outs, or other geologic 16 impediments to the horizontal drilling of these wells. 17 Lastly is Exhibit C, a self-affirmed Statement of Notice with sample letters that were 18 timely mailed on September 16, 2022. 19 (Exhibit C was marked for 20 21 identification.) 22 And unless there are any questions, I would ask that all the exhibits and sub exhibits be 23 admitted into the record and that cases 23050 and 24 25 23051 be taken under advisement at this time of the

1	Division.
2	THE HEARING OFFICER: Thank you.
3	Mr. Rose-Coss, questions?
4	MR. ROSE-COSS: No, Mr. Brancard. I
5	don't actually have any questions for this. We'll
6	thank them for clearly marking and identifying the two
7	Bone Spring pools that are being dealt with. I did
8	have a question earlier about kind of percentages of
9	tracts and ownership, but been able to resolve that
10	before myself, so it looks in order as far as I can
11	tell. Thank you.
12	THE HEARING OFFICER: Thank you. Yes,
13	we did have an internal discussion about your C-102's
14	and I believe you are following the format that our
15	folks would like to see in doing separate C-102's for
16	the different pools.
17	MS. VANCE: Sorry.
18	THE HEARING OFFICER: So my questions
19	are, well I did note in your Landman's Affidavit that
20	your Landman said that you were you were pooling
21	all the interests in the three sections, when in fact
22	you are only pooling $3/4$ of the interest in the three
23	sections. But that's sort of a minor statement there
24	at the beginning.
25	More importantly though, you have these
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1 overlapping spacing units; okay? And we had 2 discussed, I had lectured everybody last time about sort of what would be good submittals for overlapping 3 spacing units, and it's not a big deal. 4 5 But if you could provide, like you have 6 an interest owner's map, simply a map that shows 7 diagrams of the overlapping spacing units. Because 8 they don't directly overlap. You have -- you have two 9 overlapping and then there's one overlapping, parts of each of the two units that you're doing. 10 11 And then just some sort of either list 12 of who the additional persons are that you provided 13 notice to, or a statement that there were no 14 additional people you provided notice to -- needed to 15 provide notice to. I mean, you have the letter in 16 there, but we don't know who it went to and who it 17 should have gone to. So that's -- that would be -- would be preferable. 18 19 But -- oh, I see a hand raised from Mr. 20 Feldewert. 21 MR. FELDEWERT: Yes, Mr. Examiner. I'm 22 going to cut in. I know -- I do have one question 23 about that, and that is, because we talked about that 24 here at the office and maybe we should have checked 25 with you. My understanding is that you are asking for

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1 that information in the circumstances where the 2 applicant is requesting the Division to approve the 3 overlapping spacing unit. In this case, because the notice has 4 5 went out and no one objected, we followed the 6 procedure in the -- in the regulation which -- which 7 then allowed us to be in a position where we did not 8 need to seek approval from the Division for the 9 overlapping spacing unit --10 THE HEARING OFFICER: Because no one 11 objected --12 MR. FELDEWERT: Because nobody 13 objected, right. So there's no --14 THE HEARING OFFICER: We need to 15 know 16 MR. FELDEWERT: -- ask them for any --17 THE HEARING OFFICER: We need to know 18 you provided notice to people, and therefore who --19 who would have objected. So I guess -- you know, it's 20 just like nobody -- nobody objecting to your 21 compulsory pooling; you know? You need to show us 22 that you gave notice to the people you were supposed 23 to provide notice to. 24 So if our rules say you have to provide 25 notice to certain people, show us that you did that. Page 33

1	That's all; you know? And in some cases with
2	overlapping spacing units, it may be the same people
3	who are in your spacing units, so it's not a big deal
4	at all to say that you, you know, sent them you
5	notified them of both situations. But
6	MR. FELDEWERT: So if we have a
7	circumstance where we don't need to pool and we're
8	just filing a C-102, do we what does the what do
9	the companies provide in that circumstance where,
10	again, we don't need relief from the Division because
11	we've we've provided notice under the rule and
12	nobody objected.
13	THE HEARING OFFICER: Well, I don't
14	know what the folks renewing the C-102's do, but I
15	would assume you'd need to have some sort of statement
16	or information about that you've followed the rules.
17	MR. FELDEWERT: Okay.
18	THE HEARING OFFICER: And you did do
19	the notice.
20	MR. FELDEWERT: Okay. So you want to
21	see the parties that were notified and a depiction of
22	the overlapping units, whether or not we're requesting
23	approval from the Division for the overlapping spacing
24	units.
25	THE HEARING OFFICER: Right. Well, I
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1 mean in a sense you are, because you are just 2 certifying that nobody objected. So we just say, 3 "Okay. Great. Nobody objected." 4 MR. FELDEWERT: Okay. 5 THE HEARING OFFICER: We have to check the boxes. 6 7 MR. FELDEWERT: Okay. Thank you. 8 THE HEARING OFFICER: Okay. Ms. Vance, 9 I know you seem to be a little under the weather 10 today, but is that all clear? 11 MS. VANCE: Yes. It's -- I understand. 12 Thank you, Mr. Hearing Examiner. 13 THE HEARING OFFICER: All right. Are 14 there any other questions or concerns on cases 23051, 15 Hearing none, the exhibits will be admitted 23050? 16 into the record. These cases will be taken under 17 advisement. And then we have simply documentation on 18 the overlapping spacing unit, a map, and a list of who 19 you provided notice to. 20 (Exhibits A1-5, B1-4, and C were 21 received into evidence.) 22 MS. VANCE: Thank you, Mr. Hearing 23 Examiner. Thank you, Mr. Rose-Coss. 24 THE HEARING OFFICER: Thank you. And 25 with that, we come to our exciting hearing. The last Page 35

1	one on the list, case number 58 I'm sorry. Item
2	number 58, case number 23036. Browning Oil Company.
3	MR. O'HARE: Hi, Mr. Examiner. Can you
4	hear me?
5	THE HEARING OFFICER: Barely.
6	MR. O'HARE: I'll I'll try to speak
7	up. This is Terry O'Hare and Calvin Nicks with
8	Emerald Energy representing Browning Oil Company with
9	regard to the Mescalero East Exploratory Unit
10	application in Township 10 South, Range 33 East in
11	THE HEARING OFFICER: All right -0-
12	MR. O'HARE: Mexico.
13	THE HEARING OFFICER: Thank you. Let
14	me just ask if there are any other persons here for
15	case 23036. All right. Thank you.
16	So Mr. O'Hare, we did get the
17	information from Browning that Emerald Energy is
18	designated to be their persons at this hearing, and
19	you are specifically listed and so is Mr. Nicks. So
20	with that, if you can explain your proposed exhibits
21	that you've submitted to us.
22	MR. O'HARE: Yeah, so
23	UNIDENTIFIED SPEAKER: Yeah, okay.
24	MR. O'HARE: So Calvin submitted the
25	exhibits. I'm going to let him describe those to you.
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1 MR. NICKS: All right. Mr. Examiner, Calvin Nicks. 2 So I'm a geologist, not an attorney. 3 So you'll -- you'll have to excuse me. But -- so we're proposing a -- a unit 4 5 for all formations below the top of the San Andreas --San Andres Pi marker, and between that and the top of 6 the Mississippian for a total of approximately 6963.15 7 8 acres. 9 Exhibit A is as copy of the application that we filed identifying the acreage, the unitized 10 11 interval, and the unit agreement that we submitted to 12 the State Land Office. 13 (Exhibit A was marked for identification.) 14 15 Exhibit B is the preliminary approval 16 letter that we received back for the State Land Office. 17 (Exhibit B was marked for 18 19 identification.) 20 And then C, Cl is going to be the 21 locator map. C2 is a type log. C3 is a structural 22 contour map on the top of the bough C. And then C4 is 23 a structural cross section identifying our -- our 24 target interval of the -- the bough C. 25 11 Page 37

1 (Exhibits C1 through C4 were marked for 2 identification.) 3 That's all been submitted. 4 THE HEARING OFFICER: Did you want to 5 show any of these exhibits? MR. NICKS: Oh, yeah. I can. Can I 6 7 share my screen, or --8 THE HEARING OFFICER: Marlene, let's test the new technology. 9 10 MR. ROSE-COSS: It seems as if you 11 should have the share function without needing to be 12 passed or admitted permission, but I don't know --13 THE HEARING OFFICER: There's a button 14 at the bottom of the screen. Do you see the button? 15 Ah, something's happening. 16 UNIDENTIFIED SPEAKER: Here we go. 17 THE HEARING OFFICER: There it is. 18 You're up. You're live. 19 MR. NICKS: All right. Yeah, so this 20 is just a basic land map, locator map. This is the --21 what, 10 South, 33 East, northwestern portion of Lee 22 County right here. Right here is our proposed 23 location for our first well. 24 So also -- so that's our proposed 25 location right here. This is our type log, which will Page 38

1 be right here. So our primary target is the bough C, 2 right here. But we're not -- we're not saying that 3 we're not going to encounter something here in the bough B or possibly the BA. It's a -- it's a really 4 5 consistent session, you know, phylloidal algal mounds 6 present through here, deposit on Paleo-highs. We 7 think we've identified with -- with subsurface and 8 seismic work another mound right here, which is why we 9 would like to -- to unitize and drill an exploratory 10 well. 11 Just real quick, basic cross section 12 from west to east through the -- the proposed unit, 13 again the bough C here in green. This is our type log. And then our proposed location. 14 15 So the -- the geology is pretty simple. 16 Pretty much within this block, just railroad tracks. 17 But there is -- there's little subsurface data that -very few of these wells actually penetrate the bough 18 C. And as far as geology exhibits, that's all we 19 20 have. We do have from the State Land Office, this is 21 our preliminary approval letter. 22 I think that's -- that's about it. Do you -- do y'all have any questions or anything else 23 24 you would like to see? 25 THE HEARING OFFICER: Well, I'm sure we Page 39

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1 have questions. But, thank you for the presentation. 2 So -- and thank you for the well-organized presentation and I do -- I will say, as an aside, I 3 appreciate you all working with Marlene and trying to 4 5 figure out what the presentation should look like for 6 these particular units. 7 MR. NICKS: Well, we -- we appreciate 8 her. She's been a big help. 9 UNIDENTIFIED SPEAKER: We appreciate Marlene. Oh my gosh. She's really helped us. 10 11 THE HEARING OFFICER: So yeah. So, 12 Marlene may have explained this, but we've kind of 13 shifted in our thinking about these units. These -this unit is a State Land Office unit. We also get 14 15 applications for BLM units. Those -- these units are 16 largely under the control of either the State Land 17 Office or the BLM. But we like to see them, and the BLM 18 and the State Land Office like for us to have hearings 19 20 to sort of be able to ask questions and see if there's any concerns or opposition to them. So we -- we are 21 22 largely just reviewing this on behalf of the Land 23 Office and giving them a statement that we are -- are 24 in support of their approval of this unit. But they 25 will be the ultimate decision-maker in this.

1 So with that, I will turn to Mr. Rose-2 Coss. Ah, yes. Good -- good 3 MR. ROSE-COSS: 4 morning, gentleman. So thanks for the presentation 5 and -- which you've submitted. A few questions again, 6 like Mr. Brancard said, I don't -- I don.t believe any of my questions are like, "Aha, we're -- we're not 7 8 going to do this," or, "Aha, you need to submit a 9 bunch more information, " but just things that came to my mind as I was -- as I was kind of reviewing what --10 11 what's been submitted. 12 And the first among those was, I can 13 see that there's, like, a long contract beginning on 14 what's in your exhibit packet starting with page 3-10 15 in the PDF, continuing on. The contract goes through 16 page 6 or 7. 17 And on point 8, Drilling and Discovery, "Unit operator shall within 60 days," and then 18 there's, you know, attain the top of, and then there's 19 20 a big blank. "Formation to such depth," then, you 21 know, the drills will -- required to drill said well 22 to a depth excess of XYZ feet. 23 So I was -- oh, okay. And I see there 24 in what you've displayed just now that there's 25 information that didn't come across in the exhibit Page 41

1	packet.
2	MR. NICKS: Oh, it did not
3	MR. ROSE-COSS: It was like, why was
4	that left blank?
5	MR. NICKS: Yeah, I'm not sure. This -
6	- this was a a fillable form provided to us by the
7	State Land Office and I I guess when I submitted
8	it, maybe that got lost. But was that was that the
9	only blank?
10	MR. ROSE-COSS: That was that was, I
11	mean, there's that was the only blank that I
12	could stood out to me. But there's other areas in
13	mind where there's the names of persons and
14	signatures, but I I assume that's waiting for our
15	approval on this end.
16	MR. NICKS: Correct. Our understanding
17	that that, you know, we need to formalize a lot of
18	this and get, you know, things notarized. But that
19	was when we go back to the State Land Office
20	MR. ROSE-COSS: Okay.
21	MR. NICKS: approval. Yeah.
22	MR. ROSE-COSS: And this is this is
23	a question that might need to be run by our our
24	geologist who's the most familiar with the pool codes.
25	Is is the bough C a state recognized formation?
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1 Does it have a pool code? Or -- or what pool 2 necessarily? The OCD pool is that targeting? 3 MR. NICKS: That's a good question. It -- it -- nobody's really drilled these wells in 4 5 decades. Yeah, since -- since pretty much the 60s. 6 So -- but in -- in all the filings I've -- I've been able to find, it is the recognized formation. It's --7 8 it's the Permo-Pennsylvanian. 9 MR. ROSE-COSS: Okay. So it's --MR. NICKS: As far as a pool code, I'm 10 11 not sure. 12 MR. NICKS: Okay. Okay. So it's not a 13 -- might need to look into that or -- or when the -the C-102's permits, the 101's and 102's are submitted 14 15 to drill, you'll need a -- a wildcat pool code or to 16 figure out exactly what pool it falls under. 17 So I did -- I did also notice that, you 18 know, you're attempting to unitize pretty much the whole stratigraphic column. But the primary target's 19 20 going to be this subsection of the Wolfcamp. And is 21 it going to be -- are these going to be vertical 22 traditional wells, or they're going to be horizontal 23 that --MR. NICKS: Our -- our exploratory well 24 25 will be just vertical to 10,500 feet, yes. Page 43

1 MR. ROSE-COSS: Okay. Got you. Trying 2 to scroll your exhibits there. So that sort of -- the 3 next question I was going to have was, you know, your affidavit states that you don't see any geologic kind 4 5 of impediments to development, but then I see a bunch of what you've got marked as a presumably thrust 6 7 faults on your exhibit? 8 MR. NICKS: So, yeah. So -- so, these 9 are normal. 10 MR. ROSE-COSS: Okay --11 MR. NICKS: And which -- so this here 12 on the west is -- is the Mescalero field and -- which 13 is defined by -- by these structures. These bounding structures. And we do have seismic that runs east to 14 15 west through this proposed unit area, and we were not 16 able to identify any faulting within our -- our 17 target. You know --MR. ROSE-COSS: So the area the 18 19 furthest to the east isn't a target. It just happens 20 to be in the --21 MR. NICKS: Correct. Correct. So --22 so these are all bough C wells. They've all produced. 23 They're all plugged up. And so right. So we are 24 right in here. And -- and based on the limited 25 subsurface data and the seismic we do have, we -- we Page 44

1	don.t see any faulting within our objective area.
2	MR. ROSE-COSS: So, can you pontificate
3	with me about so to the west in between that
4	structure and to the east on the other side of the
5	structure there has been development of this interval
б	and in between there wasn't? Like, why that might
7	have been the case then?
8	MR. NICKS: That's a good question.
9	UNIDENTIFIED SPEAKER: Yeah, that's a
10	good question.
11	MR. NICKS: Yeah. So so and up to
12	the north is is primarily San Andres production.
13	It was just not many not many wells drilled. And
14	then with the this would be the NV field and Nevada
15	field over to the east over here, and they weren't
16	really they were drilled before the seismic was
17	shot. The field's not really defined by dry holes.
18	You do have lesser production as you move westward,
19	but that's kind of what we've been wondering though,
20	is is why they are so few wells drilled right here.
21	MR. ROSE-COSS: Okay. And what's
22	what kind of rock are we targeting here in the
23	Wolfcamp? This is a bunch further north than the
24	you know, the Purple Sage Wolfcamp that's the primary
25	

1 MR. NICKS: So they're --2 UNIDENTIFIED SPEAKER: It's permanent. 3 MR. NICKS: Yeah. Phylloidal algal 4 mounds and associated packstones and grainstones. 5 MR. ROSE-COSS: Okay. And so that -what sort of -- it's going to have a traditional drive 6 7 mechanism initially? You're not hoping to punch a 8 bunch of holes or however those other -- it's not 9 going to need to be a water flood at some point here? 10 MR. NICKS: No. 11 UNIDENTIFIED SPEAKER: No. 12 MR. ROSE-COSS: Okay. 13 UNIDENTIFIED SPEAKER: We simply had 14 the potential for eight to ten wells vertical. 15 MR. ROSE-COSS: Eight to ten vertical 16 wells. And none of -- in basically this formation? 17 None of the other formations are going to be targeted? 18 Is the San Andres present here or --19 MR. O'HARE: Yes. We do think there's 20 still San Andres potential in this area. High chance 21 of good San Andres potential. But -- and we'll be 22 doing some study. Hopefully some sidewall cores 23 minimally to analyze the San Andres, what we call the 24 P1 porosity a little closer. Because we do think it 25 has potential, and another reason why the acreage

1	block is larger. In fact, as we develop this, the San
2	Andres becomes more viable.
3	MR. ROSE-COSS: Okay. Got you. And so
4	is there any what's the is this a source rock
5	like the Wolfcamp is in further south, or do we
6	think it was
7	MR. NICKS: So it's
8	MR. ROSE-COSS: north from somewhere
9	else and then and there's a
10	MR. NICKS: So
11	MR. ROSE-COSS: structure has played
12	a role in any of the reservoir development?
13	MR. NICKS: So this this specific
14	you, know. Our primary objective is this little 30
15	feet here, which is, you know, earliest Wolfcamp in.
16	The source is within the Wolfcamp, but but not our
17	specific target interval is not sub sourced, no.
18	MR. ROSE-COSS: Okay. Okay. So
19	it's a thirty-foot interval. That's
20	MR. NICKS: 30 to 40.
21	MR. ROSE-COSS: It sounds it sounds
22	like a short interval to me, but it isn't
23	MR. NICKS: Yeah, I mean, but, you
24	know, some of these well-made, you know, 400,000
25	barrels out of 30 foot, so
	Page 47

1 MR. ROSE-COSS: Okay. Interesting. 2 UNIDENTIFIED SPEAKER: 600,000. 3 MR. ROSE-COSS: Okay. Well that's --4 that's why I was like, nothing's a got you, I just, 5 you know, for my edification here and things that came 6 to mind as I was -- I was looking through it. So --7 MR. NICKS: So are you a biker? 8 MR. ROSE-COSS: No, no. I just -- I 9 just like to collect stuff for my wall. Yeah, but 10 biker geologist, yeah. 11 So, you know, Mr. Brancard, gentleman, 12 I think those are all my questions. So, yeah. Thanks 13 for your time. Good luck with it. 14 MR. NICKS: Thank you. 15 Thank you. UNIDENTIFIED SPEAKER: 16 THE HEARING OFFICER: Great. Thanks, 17 Dylan. MR. ROSE-COSS: Yeah. 18 19 THE HEARING OFFICER: All right. So if you could just scroll back to your unit map for a 20 21 second. Yeah. There you go. So what is this little 22 HBP 80 acres here? 23 MR. O'HARE: That's Chevron HBP. 24 THE HEARING OFFICER: Okay. So they --25 they own the minerals there? Page 48

1 MR. O'HARE: I think they have a long-2 term lease that was taken in the 40s. And I'm not 3 even sure if this area controls that particular acreage and/or if it's a lease somewhere in the 4 5 periphery of this area that controls it. But that's 6 basically it. So we had to exclude it from the unit 7 outline. 8 THE HEARING OFFICER: Okay. So that 9 area is excluded. Okay. 10 MR. NICKS: Yes. We -- we don't want a 11 hole there, but yeah. They're state minerals, but --12 but HBP Chevron. So yeah, we -- we're not including 13 this in the proposed unit. 14 THE HEARING OFFICER: All right. So if 15 -- if I read your mineral interests chart, which is on 16 another page, correctly, all the rest of this acreage 17 is state trust land mineral ownership leased to either 18 Browning or it appears to be another entity called Cobra [ph]? 19 20 MR. NICKS: Correct. Yeah. 21 Okay. And that's THE HEARING OFFICER: 22 -- and those are the only -- so all the state land is 23 leased. Is that correct? Yes? And Browning and 24 Cobra [ph] are the only leasees in this unit. Is that 25 correct?

1	MR. NICKS: That's correct.
2	THE HEARING OFFICER: Okay. So did you
3	provide notice to Cobra [ph] of this hearing?
4	MR. NICKS: Yes. Yes.
5	THE HEARING OFFICER: Okay. Certified
6	mail, et cetera?
7	MR. NICKS: Browning and then I would
8	have to verify with them if they certified it, but
9	they they were definitely aware of it.
10	THE HEARING OFFICER: All right. So we
11	we need that documentation. It's a little
12	difficult to figure out from our rules what notice
13	requirements are for this hearing, but I think at
14	minimum, you know, the mineral interest owner, which
15	is the State Land Office obviously, and then any other
16	leasee, which in this case it appears to be there's
17	just one other leasee. Okay? So we we need that
18	documentation. If it hasn't happened, you know, go
19	ahead and do it and provide us with, you know,
20	whatever whatever you have. Green cards, et
21	cetera, to indicate that was sent by certified mail to
22	Cobra [ph]. All right?
23	MR. O'HARE: We'll have to check with
24	Browning.
25	THE HEARING OFFICER: And so because
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1 that's a notice issue, we will have to just continue 2 the hearing then to November 17. At that point you 3 can provide us with the documentation on the notice 4 hopefully. 5 UNIDENTIFIED SPEAKER: Okav. 6 THE HEARING OFFICER: And we can take 7 the case under advisement at that point. 8 So with that, again, I appreciate -- I 9 appreciate all your efforts here. It's lucky for you there's not a lot of people to notice. The last case 10 11 we had on a unit last hearing was up in the 12 checkerboard area and there were several hundred 13 lotees [ph] who had to be noticed. So --14 MR. NICKS: Yeah, it's a lot simpler up 15 here. 16 THE HEARING OFFICER: All right. Thank 17 you. 18 Anything else, Mr. Rose-Coss? 19 MR. ROSE-COSS: Mr. Brancard. Thank 20 you. 21 THE HEARING OFFICER: All right. Thank 22 you. So for now, we will admit the exhibits you have provided into the record. 23 24 (Exhibits A, B, and C1-C4 were received 25 into evidence.) Page 51

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1 This case will be continued to November 2 17 to make sure that we have all the documentation of notice in this case. 3 4 MR. NICKS: Thank you. 5 THE HEARING OFFICER: Thank you. 6 MR. O'HARE: Thank you, Mr. Examiner. 7 THE HEARING OFFICER: All right. So 8 anything else for the good of the record? 9 Any other comments on our fancy new Webex system here today? I did notice, I don't know 10 11 if anybody else noticed, that occasionally somebody's 12 video would just turn into sort of a green alien-13 looking thing and then come back. But I don't know if other people noticed that. But other than that, it 14 15 seems to be working well. And, you know, as a result, 16 we had one of our fastest hearings ever. So thank you all and have a great rest 17 of the day. With that, the OCD hearings for October 18 19 20, 2022, are concluded. Thank you. 20 (Whereupon, at 10:18 a.m., the 21 proceeding was concluded.) 22 23 24 25 Page 52

#### CERTIFICATE OF DEPOSITION OFFICER

1

2	I, DANA FULTON, the officer before whom the
3	foregoing proceedings were taken, do hereby certify
4	that any witness(es) in the foregoing proceedings,
5	prior to testifying, were duly sworn; that the
6	proceedings were recorded by me and thereafter reduced
7	to typewriting by a qualified transcriptionist; that
8	said digital audio recording of said proceedings are a
9	true and accurate record to the best of my knowledge,
10	skills, and ability; that I am neither counsel for,
11	related to, nor employed by any of the parties to the
12	action in which this was taken; and, further, that I
13	am not a relative or employee of any counsel or
14	attorney employed by the parties hereto, nor
15	financially or otherwise interested in the outcome of
16	this action.
17	Dane Fulton
18	DANA FULTON
19	Notary Public in and for the
20	State of Missouri
21	
22	
23	
24	
25	
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#### CERTIFICATE OF TRANSCRIBER

1	CERTIFICATE OF TRANSCRIBER	
2	I, ANDREA HARLESS, do hereby certify that	
3	this transcript was prepared from the digital audio	
4	recording of the foregoing proceeding, that said	
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14	andre Harles	
	Unalle Malle	V
15	ANDREA HARLESS	
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