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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: Docket No.
Case Nos. 23676, 23605, 23606 17-23 OCD
23604, 23682, 23693, 23695,
23650, 23574, 23672, 23673,
23681

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VIDEOCONFERENCE HEARING

DATE: Thursday, August 17, 2023
TIME: 8:15 a.m.
BEFORE: Hearing Examiner Felicia Orth
LOCATION: Remote Proceeding
Santa Fe, NM 87501
REPORTED BY: Dana Fulton, Notary Public
JOB NO.: 5528933

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A P P E A R A N C E S

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

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

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Marlene Salvidrez, Host (by videoconference)
Ocean Munds-Dry, Panel
Austin Morton, Panel

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E X H I B I T S

NO.	DESCRIPTION	ID/EVD
Case 23676:		
Exhibit A-3	Tracts & Party Identification	14/14
Exhibit B	Notice Affidavit	14/14
NO.	DESCRIPTION	ID/EVD
Case 23604:		
Exhibit A	Self-Affirmed Statement from	
	Bryan Cifuentes	19/23
Exhibit A-2	Spacing Unit Plat	19/23
Exhibit A-3	Ownership Interests	19/23
Exhibit A-4	Well Proposal Letters	19/23
Exhibit A-5	Chronology of Contacts	19/23
Exhibit A-6	Notice of Overlapping Spacing	
	Unit	19/23
Exhibit B	Affidavit of Paul Brown	20/23
Exhibit B-1	Paul Brown's Resume	20/23
Exhibit B-2	General Locator Map	21/23
Exhibit B-3	Structure Map, First Bone	
	Spring	21/23
Exhibit B-4	Cross-Section Map	21/23
Exhibit C	Statement from Adam Rankin	21/23
Exhibit D	Affidavit of Publication	22/23

1	E X H I B I T S (Cont'd)		
2	NO.	DESCRIPTION	ID/EVD
3	Case 23682:		
4	Exhibit F	Affidavit of Publication	24/26
5			
6	NO.	DESCRIPTION	ID/EVD
7	Case 23693:		
8	Exhibit 4	Statement of Certified Notice	28/29
9	Exhibit 5	Certified Notice Spreadsheet	28/29
10	Exhibit 6	Affidavit of Publication	28/29
11			
12	NO.	DESCRIPTION	ID/EVD
13	Case 23695:		
14	Exhibit A	Affidavit of Kristine Pilgrim	30/34
15	Exhibit A-2	Tract Ownership	31/34
16	Exhibit A-3	Summary of Communications	32/34
17	Exhibit B	Affidavit of Trey Cortez	30/34
18	Exhibit B-1	Area Map	33/34
19	Exhibit B-3	Cross-Section Map for Wells	33/34
20	Exhibit B-4	Production from Wells	33/34
21	Exhibit B-5	Planning Reports	33/34
22	Exhibit C	Application & Proposed Notice	30/34
23	Exhibit D	Affidavit of Certified Notice	30/34
24	Exhibit E	Certified Notice Spreadsheet	30/34
25	Exhibit F	Pooling Checklist	30/34

E X H I B I T S (Cont'd)		
NO.	DESCRIPTION	ID/EVD
Case 23650:		
Exhibit A	Self-Affirmed Statement of Shelley Klingler	37/41
Exhibit A-1	C102 Switch	37/41
Exhibit A-2	Ownership Breakdown	37/41
Exhibit A-3	Well Proposals	38/41
Exhibit A-4	Summary of Communications	38/41
Exhibit A-5	Updated Overlapping Notice Letter	40/41
Exhibit B	Statement of Jessica Pontiff	38/41
Exhibit B-1	Overview Map	38/41
Exhibit B-2	Structure Map	38/41
Exhibit C	Affidavit from Michael Fuller	39/41
Exhibit D	Updated Supplemental Statement of Shelley Klingler	39/41
NO.	DESCRIPTION	ID/EVD
Case 23574:		
Exhibit A	Pooling Checklist	45/47
Exhibit B	Application	45/47
Exhibit C	Affidavit of Samuel Cox	45/47
Exhibit C-1	General Location Map	46/47
Exhibit C-2	C102 Forms	46/47

1	E X H I B I T S (Cont'd)		
2	NO.	DESCRIPTION	ID/EVD
3	Case 23574 (Cont'd):		
4	Exhibit C-3	Spacing Units and Wells Map	46/47
5	Exhibit C-4	Ownership of Units	46/47
6	Exhibit C-5	Chronology of Contacts	46/47
7	Exhibit D	Affidavit of Elizabeth Scully	46/47
8	Exhibit D-1	Locator Map	46/47
9	Exhibit D-2	Cross-Section Reference Map	46/47
10	Exhibit D-3	Structure Map	46/47
11	Exhibit D-4	Cross-Section of the Upper	
12		Wolfcamp	46/47
13	Exhibit E	Notice Affidavit	47/47
14	Exhibit F	Affidavit of Publication	47/47
15			
16	NO.	DESCRIPTION	ID/EVD
17	Cases 23672 and 23673:		
18	Exhibit C	Affidavit of Reese Park	50/52
19	Exhibit D	Affidavit of Daniel Brugioni	51/52
20	Exhibit D-1	Locator Map	51/52
21	Exhibit D-2	Sub-C Structure Map	51/52
22	Exhibit D-3	Structural Cross-Section Map	51/52
23	Exhibit E	Self-Affirmed Statement of	
24		Notice	51/52
25	Exhibit F	Affidavit of Publication	51/52

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E X H I B I T S (Cont'd)

NO.	DESCRIPTION	ID/EVD
Case 23681:		
Exhibit A	Self-Affirmed Statement of Tyler Jolly	55/58
Exhibit A-2	Plat Tract Map	55/58
Exhibit A-3	Ownership Breakdown	56/58
Exhibit A-4	Well Proposal Letters	56/58
Exhibit A-5	Summary of Communications	56/58
Exhibit A-6	Offset Notice Plat Map	56/58
Exhibit B	Self-Affirmed Statement of Jordan Carroll	56/58
Exhibit B-1	Overview Map	57/58
Exhibit B-2	Structural Map	57/58
Exhibit B-3	Cross-Section Map	57/58
Exhibit C	Affidavit of Adam Rankin	57/58
Exhibit D	Affidavit of Publication	58/58

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P R O C E E D I N G S

THE HEARING EXAMINER: -- Felicia Orth.
I'm a hearing officer appointed by the director of the Oil Conservation Division to conduct the hearings that you see on the final hearings docket worksheet dated August 17, 2023. I believe Ms. Fulton is our court reporter this morning. I see Mr. Garcia on the screen.

Mr. Garcia, do I understand that there are no announcements this morning?

MR. GARCIA: Correct.

THE HEARING EXAMINER: Thank you. And just as a point of general information, Marlene says that the next opportunities to set contested hearings are November 2nd, November 16th, December 7th or 21st, and January 4th or 18th.

So we may set the speed record this morning, which I'm delighted by. I'll just walk through the cases right now.

Case number 23676; the applicant is Ridge Runner Resources Operating. The request is to amend an earlier order. The well name is Zeus.

Ms. Hardy, I believe you're here from Hinkle Shanor.

MS. HARDY: Yes. That's correct, Madam

1 Examiner. Thank you.

2 THE HEARING EXAMINER: Let me pause for
3 a moment in the event any other appearances will be
4 made. No?

5 Please go ahead, Ms. Hardy.

6 MS. HARDY: Thank you. Ridge Runner
7 seeks to pool additional uncommitted interests under
8 the terms of order number R-21609. That order pooled
9 all uncommitted interest in the Bone Spring formation
10 underlying a 320-acre standard horizontal spacing unit
11 comprised of the west half of the west half of
12 Sections 2 and 11, Township 20 South, Range 35 East,
13 in Lea County.

14 That order also dedicated the unit to
15 the Zeus 2-11 Fed Com 1H well and designated Ridge
16 Runner as operator of the unit. The Division also
17 extended that order on April 13, 2023. So here we're
18 just seeking to pool an additional party. It is one
19 additional party.

20 With our hearing exhibits, we've
21 provided the affidavit of landman Emerald McGinnis.
22 She provides the application and proposed notice, the
23 prior order, and her Exhibit A-3 is the plat of
24 tracts, tract ownership, and full party
25 identification. She also provides a chronology of

1 contact.

2 (Case 23676 Exhibit A-3 was marked for
3 identification.)

4 Exhibit B is my notice affidavit and
5 the chart along with the certified mail receipts, and
6 we did timely publish notice in this case. The one
7 party we're seeking to pool is a defunct partnership,
8 so we sent notice to all of the addresses that we
9 could find. But it looks like we didn't receive a
10 return receipt; we received a rejection from the
11 designated agent for service of process. So we did
12 publish.

13 (Case 23676 Exhibit B was marked for
14 identification.)

15 So with that, unless there are
16 questions, I would request that the case exhibits be
17 admitted and that the case be taken under advisement.
18 Thank you.

19 THE HEARING EXAMINER: Thank you, Ms.
20 Hardy. The exhibits are admitted.

21 (Case 23676 Exhibit A-3 and Exhibit B
22 were received into evidence.)

23 Mr. Garcia, do you have questions?

24 MR. GARCIA: No questions.

25 THE HEARING EXAMINER: All right.

1 Thank you very much, Ms. Hardy. It'll be taken under
2 advisement.

3 MS. HARDY: Thank you very much.

4 THE HEARING EXAMINER: We'll move then
5 to cases 2 and 3 here, 23605 and 23606. The
6 applicant, MRC Permian; compulsory pooling. The well
7 name is Horseshoe. Who is here from Holland & Hart?

8 Is that you, Ms. Vance?

9 MS. VANCE: It is. Good morning, Madam
10 Examiner. Paula Vance with the Santa Fe office of
11 Holland & Hart on behalf of the applicant, MRC Permian
12 Company.

13 THE HEARING EXAMINER: Thank you. I
14 also see an appearance from Cimarex Energy.

15 Mr. Debrine?

16 MR. DEBRINE: Good morning, Madam
17 Examiner. Earl Debrine with the Modrall Sperling firm
18 in Albuquerque on behalf of Cimarex.

19 THE HEARING EXAMINER: All right. I'll
20 pause for a moment in the event there are any other
21 appearances this morning. No?

22 As I understand it, this is a status
23 conference. Ms. Vance, would you like to lead the
24 discussion?

25 MS. VANCE: Sure. So it's my

1 understanding that the parties are in negotiation
2 right now, and it would be our request that we give
3 some time for those negotiations to continue. And so
4 our preference would be to continue the cases to the
5 October 19th hearing date for another status
6 conference and see where the parties are at that
7 point.

8 THE HEARING EXAMINER: Mr. Debrine?

9 MR. DEBRINE: That works for Cimarex as
10 well.

11 THE HEARING EXAMINER: All right.
12 Thank you very much. We -- I believe you have to go
13 through the portal for that sort of thing, so we'll
14 expect to see you on the docket on October 19th for
15 another status conference. Thank you both.

16 MS. VANCE: Thank you.

17 MR. DEBRINE: Thank you.

18 THE HEARING EXAMINER: Let's move on to
19 case 23604. This is XTO Energy, compulsory pooling
20 application. Perla Verde is the well. Let's see.
21 Who's here from Holland & Hart for the applicant?

22 Mr. Rankin?

23 MR. RANKIN: Good morning, Madam
24 Hearing Officer. Adam Rankin appearing on behalf of
25 the applicant in the case, with the Santa Fe office of

1 Holland & Hart.

2 THE HEARING EXAMINER: And I see Apache
3 Corporation -- virtual connectivity interruption -- is
4 that you again?

5 MR. DEBRINE: Yes. Good morning, Madam
6 Examiner. Earl Debrine with the Modrall Sperling firm
7 on behalf of the Apache Corporation.

8 THE HEARING EXAMINER: Thank you. Let
9 me pause for a moment in the event there are other
10 appearances. I am hearing nothing.

11 So will you be proceeding by affidavit
12 this morning, Mr. Rankin?

13 MR. RANKIN: I believe so, Madam
14 Examiner.

15 THE HEARING EXAMINER: Any objection,
16 Mr. Debrine?

17 MR. DEBRINE: None. Thank you.

18 THE HEARING EXAMINER: Thank you very
19 much.

20 Go ahead, Mr. Rankin.

21 MR. RANKIN: Good morning, Madam
22 Hearing Examiner. May it please the Division. In
23 this case, XTO seeks an order pooling all uncommitted
24 interests in a stratigraphic -- within the
25 stratigraphic equivalent of the top of the Bone Spring

1 formation to the base of the Second Bone Springs
2 interval underlying a standard 633.36-acre more or
3 less horizontal well spacing unit as comprised of the
4 west half equivalent of irregular Sections 30 and 31,
5 Township 19 South, Range 35 East in Lea County.

6 The proposed horizontal spacing unit
7 will be dedicated initially to five proposed wells,
8 the Perla Verde 31 State Com wells. The complete
9 interval for the Perla Verde 31 State Com 403H well
10 will remain within 333 feet of the offsetting quarter-
11 quarter sections or the equivalent tracts to allow the
12 offsetting tracts to be included within the horizontal
13 spacing unit.

14 We filed exhibits on Tuesday for this
15 case. The exhibits included Exhibits A through D.
16 Exhibit A was -- also included was the compulsory
17 pooling checklist and the filed application for the
18 case.

19 Exhibit A is copy of the self-affirmed
20 statement of Mr. Bryan Cifuentes. He's a landman with
21 XTO and has previously testified and had his
22 credentials as an expert petroleum landman accepted.
23 Attached to his self-affirmed statement in which he
24 explains what XTO is seeking is -- are the draft C102s
25 for each of the proposed initial wells identifying the

1 well locations, setbacks, and footages.

2 (Case 23604 Exhibit A was marked for
3 identification.)

4 Exhibit A-2 are -- is a spacing unit
5 plat with an ownership breakdown identifying with
6 Exhibit A-3 the ownership interests in each of the
7 tracts that comprise the proposed spacing unit. A-4
8 is a sample of the well proposal letters and AFEs that
9 were sent out. Mr. Cifuentes confirms that the costs
10 and the overhead rates that are requested are
11 consistent with what other operators have provided --
12 have experienced drilling some other wells in the
13 area.

14 (Case 23604 Exhibit A-2, Exhibit A-3,
15 and Exhibit A-4 were marked for
16 identification.)

17 A-5 is a chronology of contacts
18 reflecting Mr. Cifuentes's efforts to reach agreement
19 with the parties that are seeking the pool, and A-6 is
20 the notice that was issued providing notice of an
21 overlapping spacing unit.

22 (Case 23604 Exhibit A-5 and A-6 were
23 marked for identification.)

24 As indicated in Mr. Cifuentes's
25 statement, they're seeking to pool only from the top

1 of the Bone Spring to the base of the second Bone
2 Spring in order to avoid an existing space unit
3 dedicated to the -- with the well in the third Bone
4 Spring in section 31. So for that reason, they're
5 seeking to pool only a certain interval of the Bone
6 Spring.

7 Exhibit B is the affidavit of Mr. Paul
8 Brown. He's the geologist with XTO. Mr. Brown has
9 not previously testified. Therefore, we include as
10 Exhibit B-1 to his affidavit or statement a resume
11 that gives Mr. Brown's background and experience
12 reflecting his expertise as a petroleum geologist.

13 (Case 23604 Exhibit B and Exhibit B-1
14 were marked for identification.)

15 And, Madam Examiner, at this time, I
16 would just ask that Mr. Brown be recognized and
17 accepted by the Division as an expert in petroleum
18 geology.

19 THE HEARING EXAMINER: Mr. Debrine, any
20 objection?

21 MR. DEBRINE: No objection.

22 THE HEARING EXAMINER: So recognized.

23 MR. RANKIN: Thank you. Mr. Brown
24 summarizes his analysis of the geology in the area in
25 his testimony. And attached to his self-affirmed

1 statement in which he confirms that the area is
2 appropriate for horizontal well drilling and
3 development is his Exhibit B-2, which is a general
4 locator map providing the location of the spacing unit
5 in the county.

6 (Case 23604 Exhibit B-2 was marked for
7 identification.)

8 Exhibit B-3 is a structure map for the
9 first Bones Spring identifying that the structure is
10 consistent and -- across the attached space unit
11 acreage. B-4 is a copy of the cross-section
12 identifying the -- that the target interval was
13 consistent again across the spacing unit.

14 (Case 23604 Exhibit B-3 and Exhibit B-4
15 were marked for identification.)

16 Exhibit C is a statement by myself
17 reflecting that we have provided notice to each of the
18 parties that XTO has identified to us that require
19 pooling. In this case, Madam Examiner, there are just
20 three working interests that require pooling and then
21 overrides, and Mr. Cifuentes's affidavit identifies
22 each of those parties.

23 (Case 23604 Exhibit C was marked for
24 identification.)

25 Attached to my Exhibit C is a copy of

1 the notice letter that went out to each of these
2 parties along with the application, and then the copy
3 of the certified mail report reflecting the status of
4 each of the certified mailings that went out to the
5 parties that we're seeking to pool. Because there
6 were some, I think, that remain in transit, we also
7 published notice; and the affidavit of publication is
8 attached as Exhibit D.

9 (Case 23604 Exhibit D was marked for
10 identification.)

11 Miss Hearing Officer, at this point, I
12 would move the admission of Exhibits A through D and
13 ask that the case be taken under advisement and will
14 do my best to answer any questions the Division may
15 have.

16 THE HEARING EXAMINER: Thank you very
17 much, Mr. -- virtual connectivity interruption -- do
18 you have questions?

19 MR. GARCIA: I think we lost you for a
20 little bit, Mrs. Orth.

21 THE HEARING EXAMINER: Me? Uh-oh.

22 MR. GARCIA: I can hear you now.

23 THE HEARING EXAMINER: Okay.

24 MR. GARCIA: It's -- my side's paused.
25 I'm sorry. I thought you and Mr. Debrine talk at the

1 same time, so I'm not sure if he had a question.

2 THE HEARING EXAMINER: Okay.

3 So I was just asking Mr. Debrine if you
4 have questions of Mr. Rankin.

5 MR. DEBRINE: I do not. And no
6 objection to the admission of the exhibits.

7 THE HEARING EXAMINER: Thank you very
8 much.

9 (Case 23604 Exhibit A through Exhibit D
10 were received into evidence.)

11 And, Mr. Garcia, do you have questions
12 of Mr. Rankin?

13 MR. GARCIA: Just one question. Is the
14 dual newspaper just out of precaution? Because it
15 looks like it's the same newspaper, just different
16 dates.

17 MR. RANKIN: Oh. Yeah. I think there
18 was an additional notice to identify the overriding
19 royalty interest parties.

20 MR. GARCIA: Okay. No more questions.

21 THE HEARING EXAMINER: All right.

22 Thank you, Mr. Garcia.

23 Mr. Debrine and Mr. Rankin, the matter
24 will be taken under advisement.

25 Moving on to the fifth case. This is

1 case 23682, Ameredev Operating. It's a compulsory
2 pooling application. The well is Tea Olive.

3 Ms. Vance, are you here for the
4 applicant?

5 MS. VANCE: I am, Madam Hearing
6 Examiner. Good morning again. Good morning, Mr.
7 Garcia. Paula Vance with the Santa Fe office of
8 Holland & Hart on behalf of the applicant, Ameredev
9 Operating, LLC.

10 THE HEARING EXAMINER: Thank you. Let
11 me pause for a moment in the event there are other
12 appearances. Don't hear anything.

13 Please go ahead.

14 MS. VANCE: Thank you, Madam Hearing
15 Examiner. So we continued this case to perfect
16 notice; and on Monday, we filed the affidavit of
17 notice of publication, which is Exhibit F.

18 (Case 23682 Exhibit F was marked for
19 identification.)

20 Specifically, we needed to perfect
21 notice in case number 23682, which we did, and the
22 notice of publication is dated August 4, 2023. So I
23 would just ask that the Division now take this case,
24 case number 23682, under advisement.

25 THE HEARING EXAMINER: Thank you, Ms.

1 Vance.

2 Mr. Garcia, any questions?

3 MR. GARCIA: Is this compulsory pooling
4 and NSP together?

5 MS. VANCE: No, it is not. It is just
6 for compulsory pooling. I believe -- and I don't have
7 the exhibits open in front of me. Mr. Lowe may have
8 asked a question about that regarding the proximity
9 tract on -- because it's -- and I don't remember if it
10 was this case or the other case.

11 Again, I'd have to pull up the hearing
12 exhibit -- hearing packet, but I believe his question
13 was about the proximity tract being on the section
14 line between two of the sections because it was the
15 west half/west half, and the east half/east half, that
16 is being pooled; and from my understanding, that
17 shouldn't be an issue regarding using an proximity
18 tract to bring in that -- those 40-acre tracts to
19 enlarge the spacing unit.

20 MR. GARCIA: No. I see that one now.
21 I just missed it earlier. I was looking at the well
22 that's, like, in the boundary, which is an NSL, but
23 that's fine. I have no other questions.

24 MS. VANCE: Okay. Thank you, Mr.
25 Garcia.

1 MR. GARCIA: No problem.

2 THE HEARING EXAMINER: Thank you, Mr.
3 Garcia and Ms. Vance. It sounds like the matter is
4 ready to take under advisement.

5 (Case 23682 Exhibit F was received into
6 evidence.)

7 We move to the sixth matter. This is
8 case 23693. Mewbourne Oil Company is the applicant.
9 Night Watch is the well.

10 Mr. Bruce, do you have we have on the
11 platform?

12 MR. BRUCE: Yes, you do. Thank you.

13 THE HEARING EXAMINER: Good morning.

14 MR. BRUCE: Good morning.

15 THE HEARING EXAMINER: I saw
16 appearances also from MRC Delaware Resources. Who is
17 here for MRC? Someone from Holland & Hart maybe? No?
18 All right. What about Cross Timbers Energy? Oh,
19 there's Mr. Rankin. Oh, and there's Ms. Vance.

20 Good morning again.

21 MS. VANCE: I apologize, Madam Hearing
22 Examiner. Paula Vance with the Santa Fe office of
23 Holland & Hart on behalf of MRC Permian -- or MRC
24 Delaware Resources.

25 THE HEARING EXAMINER: Thank you.

1 And is there someone here from Abadie &
2 Schill for Cross Timbers Energy?

3 MR. SAVAGE: Yes. Good morning. Darin
4 Savage with Abadie & Schill on behalf of Cross Timbers
5 Energy.

6 THE HEARING EXAMINER: Good morning,
7 Mr. Savage.

8 Now, let me pause for the moment in the
9 event there are any other appearances. No?

10 Do I understand we are proceeding to
11 hearing by affidavit, Mr. Bruce?

12 MR. BRUCE: That is correct.

13 THE HEARING EXAMINER: Okay. Let me
14 make sure there is no objection from the other
15 parties. Nope. Hearing none.

16 Please go ahead, Mr. Bruce.

17 MR. BRUCE: Yes, Madam Examiner. This
18 was heard at the last hearing, and the primary
19 exhibits that -- land and geology were submitted and
20 accepted into the record.

21 Exhibit 4, which is my statement of
22 certified notice, there -- I still had green cards and
23 returned envelopes coming back, so I have supplemented
24 that -- it's current as of yesterday afternoon -- with
25 all certified green cards, all -- and all envelopes

1 which have been returned. And there are still green
2 cards out there; I just haven't received anything now
3 for the last few days. So that's updated.

4 (Case 23693 Exhibit 4 was marked for
5 identification.)

6 And then I did the certified notice
7 spreadsheet, which is pretty extensive because it
8 covers both the compulsory pooling and the NSP which
9 was requested. Together, there's quite a few people
10 on the list, over 50.

11 And then the affidavit of publication,
12 which if you'll recall from the last hearing, I
13 published in the wrong county. I corrected that and
14 got it published in Lea County. And the original of
15 that publication notice is marked as Exhibit 6; and
16 the pertinent time period required by statute, ten
17 business days, has passed.

18 So I would ask the addition of
19 replacement Exhibit 4; Exhibit 5, the spreadsheet; and
20 Exhibit 6, the affidavit of publication; and ask that
21 this matter be taken under advisement.

22 (Case 23693 Exhibit 5 and Exhibit 6
23 were marked for identification.)

24 THE HEARING EXAMINER: Thank you, Mr.
25 Bruce. And thank you for reminding me we discussed

1 this on August 3rd, which seems a very long time ago
2 at this point.

3 Are there objections from the other
4 parties as to the admission of Exhibits 4, 5, or
5 6 -- replacement Exhibits 4, 5, or 6? No? All right.
6 They are admitted.

7 (Case 23693 Exhibit 4, Exhibit 5, and
8 Exhibit 6 were received into evidence.)
9 Questions from any party of Mr. Bruce?
10 Nope.

11 And, Mr. Garcia, do you have questions?

12 MR. GARCIA: No questions.

13 THE HEARING EXAMINER: All right.

14 Thank you very much, all of you.

15 Thank you, Mr. Bruce. The matter will
16 be taken under advisement now.

17 MR. BRUCE: Thank you.

18 THE HEARING EXAMINER: So we'll move to
19 the seventh matter, case 23695; Burnett Oil Company,
20 compulsory pooling application. The well is Four --
21 virtual connectivity interruption --Bruce?

22 MR. BRUCE: Yes. Yes, Madam Examiner.
23 I represent the Burnett Oil Company, Inc.

24 THE HEARING EXAMINER: Okay. Pause for
25 a moment in the event there are any other appearances

1 this morning. I don't hear anything.

2 Are you going to proceed by affidavit?

3 MR. BRUCE: Yes, ma'am.

4 THE HEARING EXAMINER: Please go ahead.

5 MR. BRUCE: I've submitted an exhibit
6 package. There are six exhibits. Exhibit A's the
7 landman affidavit; Exhibit B, the geologist affidavit;
8 Exhibit C simply contains the application and proposed
9 notice; and D is the affidavit of -- my affidavit of
10 certified notice; E is the certified notice
11 spreadsheet; and F is the pooling checklist.

12 (Case 23695 Exhibit A through Exhibit F
13 were marked for identification.)

14 First, the affidavit of Kristine
15 Pilgrim. For the court reporter, that's Kristine with
16 a K. She is the landman for Burnett. She has not
17 previously testified. She sets forth her educational
18 and employment background, and I believe she's
19 qualified to be recognized as an expert in petroleum
20 land matters. I would note that I think the neatest
21 thing about her little shorthand resume is she used to
22 work on C-17s in the Air Force, so that's pretty cool.
23 But I would tender her as an expert in petroleum land
24 matters.

25 THE HEARING EXAMINER: Thank you very

1 much, Mr. Bruce. She's so recognized.

2 MR. BRUCE: And then she submits the
3 usual material. She's got a couple of tract maps, and
4 also shows the percentage interest of each tract, the
5 lands involved. Actually, there's a couple of lots
6 involved, but it's the south half of Section 7-19
7 South, 26 East. They are seeking a forced pool the
8 Glorieta-Yeso formation.

9 Land affidavit contains the usual
10 information. I submitted land tracts information on
11 the interest owners being pooled, which is attached
12 B -- or A-2 or Exhibit A-2. There are only a few
13 entities being force pooled. Very small interest
14 overall, just a little over three percent, but it does
15 give ownership on the various tracts.

16 (Case 23695 Exhibit A-2 was marked for
17 identification.)

18 There's a summary of communications
19 between the various parties. This summary of
20 communications -- which is Exhibit A-3 -- does include
21 two people, Martha Cox and Carol Bennett, who were
22 originally going to be pooled, but they have committed
23 their interest to the well and -- to the wells, I
24 should say; there's three of them -- and so they are
25 not being pooled. And that's noted on the exhibits.

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1 (Case 23695 Exhibit A-3 was marked for
2 identification.)

3 Then there's copies of the various well
4 proposal letters reports; the AFEs for the three
5 wells, which are stated to be fair and reasonable.
6 The permit is seeking 8,000 a month for a drilling
7 well and 800 a month for a producing well, and of
8 course asking for the usual cost plus 200 percent risk
9 charge. One thing to note is that the operator is
10 Burnett Oil Company, not the applicant Burnett Oil
11 Company Inc.; so that will be the operator that's set
12 forth on the pooling checklist.

13 Next is the self-affirmed statement of
14 Trey Cortez, the geologist for Burnett. Again, he has
15 not previously testified; but he gives his background,
16 which is -- he has quite a bit of experience. He has
17 both a bachelor's and a master's in geology, and over
18 a decade of experience with various companies
19 including Burnett.

20 He has attached an area map, Exhibit B-
21 1; a structure map, which also shows the approximate
22 locations of the well units; a cross-section, which
23 indicates the zone -- the landing zone for the wells.
24 That's Exhibit B-3; and Exhibit B-4 contains
25 production from wells in this area.

1 (Case 23695 Exhibit B-1, Exhibit B-3,
2 and Exhibit B-4 were marked for
3 identification.)

4 And then following, attached is Exhibit
5 B-5 -- are the standard planning reports for the
6 horizontal wells. And so I think the geology contains
7 the information that the Division usually likes to
8 see.

9 (Case 23695 Exhibit B-5 was marked for
10 identification.)

11 I would note that when it comes to
12 Exhibit D, my affidavit of notice, it does show that
13 the two parties -- actually, there's three; I think
14 it's ConocoPhillips Company and Pancho Oil and Gas and
15 then Terry Lee Jaketty [ph] -- have both received
16 actual notice of the hearing. It shows the green
17 cards as a result. I'm not submitting the affidavit
18 of publication.

19 I did do a pooling spreadsheet. And
20 then Exhibit F is the pooling checklist, and it does
21 contain information on the wells. And there is a --
22 this is a proximity tract unit, and well number 2
23 listed in the pooling spreadsheet is the -- which is
24 the Four Mile PM Well Number 1H -- is the proximity
25 tract well.

1 With that, I think -- I hope all of the
2 information is in there the Division needs. And I
3 would move the admission of Exhibits A through F and
4 ask that the matter be taken under advisement.

5 THE HEARING EXAMINER: Thank you, Mr.
6 Bruce. Exhibits A through F are admitted.

7 (Case 23695 Exhibit A through Exhibit F
8 were received into evidence.)

9 Mr. Garcia, do you have questions of
10 Mr. Bruce?

11 MR. GARCIA: No questions.

12 THE HEARING EXAMINER: All right.
13 Thank you very much, Mr. Bruce. The matter's ready to
14 be taken under advisement.

15 MR. BRUCE: Thank you. I always liked
16 earning his certificate of approval of no questions,
17 so.

18 THE HEARING EXAMINER: Yes.

19 Let's move to case 23650. This is COG
20 Operating. The name of the well is TLC. Holland &
21 Hart for the applicant.

22 Mr. Rankin, I see you on screen.

23 MR. RANKIN: Good morning, Madam
24 Hearing Officer. May it please the Division. Adam
25 Rankin appearing on behalf of COG Operating in this

1 case, the Santa Fe office of Holland & Hart.

2 THE HEARING EXAMINER: Thank you. And,
3 Mr. Bruce, it seems you've entered an appearance on
4 behalf of Mewbourne Oil.

5 MR. BRUCE: That is correct. And
6 Mewbourne's not objecting to the application and does
7 not object to this matter proceeding by affidavit,
8 which is what I presume Mr. Rankin wants to do.

9 THE HEARING EXAMINER: Oh, thank you
10 very much, Mr. Bruce.

11 We pause for a moment in the event
12 there are any other appearances.

13 MR. SAVAGE: Yes. Good morning, Madam
14 Examiner. Darin Savage with Abadie & Schill on behalf
15 of Coterra Energy Incorporated and Cimarex Energy
16 Company, et al. We did a -- appearance yesterday.

17 THE HEARING EXAMINER: Already? I did
18 not see that coming in. Late breaking news there.

19 Any other appearances? No? All right.

20 Mr. Savage, do you object to the
21 applicant COG proceeding by affidavit this morning?

22 MR. SAVAGE: No objection.

23 THE HEARING EXAMINER: Terrific.

24 Go ahead, Mr. Rankin.

25 MR. RANKIN: Thank you, Madam Hearing

1 Officer. In this case, COG seeks an order pooling all
2 uncommitted interests in the Wolfcamp formation,
3 underlying a standard 947-acre, more or less,
4 horizontal well spacing unit comprised of the south
5 half equivalent of irregular Section 30 and all of
6 irregular Section 31, in Township 23 South, Range 27
7 East, Eddy County, New Mexico.

8 The proposed Wolfcamp space unit will
9 be dedicated initially to seven initial proposed
10 wells, the TLC 30 Fed Com wells; and the completed
11 interval of the 702-H well will remain within 330 feet
12 of the offsetting quarter quart sections or equivalent
13 tracts to include them in a standard horizontal
14 spacing unit. So we'll have a proximity tract spacing
15 unit here in the purple camp -- purple camp? The
16 Wolfcamp, Purple Sage.

17 To go along with our presentation of
18 this case, Madam Hearing Officer, we filed on Tuesday
19 an exhibit packet that contains the application and
20 checklist for the compulsory pooling; identifies each
21 of the elements necessary for compulsory pooling
22 orders in the Division.

23 Exhibit A is a copy of the self-
24 affirmed statement of Ms. Shelley Klingler. She has
25 previously testified before the Division and has had

1 her credentials as an expert petroleum landowner
2 accepted as a matter of record. In her affidavit, she
3 reviews the status of the lands and explains that --
4 what COG is proposing to do as well as her efforts to
5 reach voluntary agreement.

6 (Case 23650 Exhibit A was marked for
7 identification.)

8 Exhibit A-1 is a copy of the C102
9 switch. I'll mention we did file a supplement here,
10 so these C102s have been revised. A-2 is a copy of
11 the ownership breakdown and well plat identifying the
12 tracts of land that comprise the space unit in this
13 acreage, as well as the ownership interests of each of
14 those owners that COG is seeking to pool.

15 (Case 23650 Exhibit A-1 and Exhibit A-2
16 were marked for identification.)

17 A-3 is a copy of the well proposals
18 that went out, as well as the AFEs reflecting costs
19 associated with the wells proposed. Ms. Klingler
20 testifies that the wells and the costs are within the
21 range, and the overhead rates are within the range,
22 that COG and operators have experienced drilling
23 similar wells in acreage. A-4 is a copy of the
24 summary of communications with each of the parties
25 that COG is seeking to pool.

1 (Case 23650 Exhibit A-3 and Exhibit A-4
2 were marked for identification.)

3 Exhibit B is the statement of Jessica
4 Pontiff. She's the geologist with COG. She's
5 previously testified and has had her credentials as an
6 expert in petroleum geology accepted. Her statement
7 reviews the status of the geology of the lands and
8 confirms in her opinion that the acreage is suitable
9 for development by horizontal wells.

10 (Case 23650 Exhibit B was marked for
11 identification.)

12 Exhibit B-1 is a copy of an overview
13 map identifying the location of the space unit as well
14 as a representation of the location of each of the
15 wells and the space unit. For Exhibit B-2, there's a
16 copy of a structure map identifying the structure for
17 each of the target formations, that there's zones
18 within the Wolfcamp that they're seeking to target in
19 this case. And then following is a cross-section and
20 an overview map and the cross-section identifying the
21 target intervals that COG is seeking to target with
22 its wells in these cases.

23 (Case 23650 Exhibit B-1 and Exhibit B-2
24 were marked for identification.)

25 Exhibit C is an affidavit prepared by

1 my colleague -- my partner, Mr. Michael Fuller,
2 identifying that we have sent notes out to each of the
3 parties that COG's seeking to pool in this case; and
4 there are only two, Devon and Mewbourne. Following
5 his affidavit is a letter reflecting the notice was
6 provided, as well as the status of those certified
7 mailings.

8 (Case 23650 Exhibit C was marked for
9 identification.)

10 Now, for whatever reason, they remained
11 in transit; but we can confirm the addresses for each
12 of the parties that we're seeking to pool. And we did
13 now update this to double-check, and they still
14 remained reflecting that they were still in transit.
15 So not sure why that is. Maybe -- I think potentially
16 the Postal Service has not updated the online system
17 here. But in any event, both these parties are
18 confirmed have received notice.

19 As I mentioned, Ms. Klingler did
20 provide an updated supplemental statement that is
21 marked as Exhibit D. Her updated supplemental
22 statement includes updated revised C102 plats for each
23 of the wells with the correct footages and locations.

24 (Case 23650 Exhibit D was marked for
25 identification.)

1 Exhibit A-5 is a updated and corrected
2 overlapping notice letter that was sent to each of the
3 parties reflecting that there is an overlapping
4 spacing unit here. And because none of the parties
5 objected with 20 days, Madam Hearing Officer, we're
6 dropping the request for an overlapping spacing unit
7 approval from the application. So that's no longer
8 required.

9 (Case 23650 Exhibit A-5 was marked for
10 identification.)

11 At this time, Madam Examiner, I would
12 move the admissions of Exhibits A through D into the
13 record and ask that the case be taken under
14 advisement.

15 THE HEARING EXAMINER: Thank you, Mr.
16 Rankin. I'll pause for a moment in the event the
17 other parties have any objection to the admission of
18 Exhibits A through D.

19 MR. BRUCE: No, I don't.

20 MR. SAVAGE: No.

21 THE HEARING EXAMINER: Thank you. All
22 right. Thank you. That was no from both of them.
23 Exhibits A through D are admitted.

24 (Case 23650 Exhibit A through Exhibit D
25 were received into evidence.)

1 Mr. Bruce, do you have questions of Mr.
2 Rankin?

3 MR. BRUCE: Yeah. Just a couple.

4 Mr. Rankin, you know that the
5 supplemental exhibit that you attached, the last page
6 of it is that land plat you were talking about. That
7 doesn't contain the working interests of the parties
8 on it, and I was just wondering if Exhibit 8-2 of your
9 original package is still the -- shows the interest
10 that ConocoPhillips believes the parties own?

11 MR. RANKIN: I believe that's the case,
12 Mr. Bruce, because I haven't been instructed
13 otherwise. So I will -- I believe that to be the
14 case, that it remains our understanding of the
15 ownership interests on a tract and unit-wide basis,
16 and I will happily reach out to COG to confirm that's
17 still the case.

18 MR. BRUCE: Okay. The reason why I'm
19 asking, Mr. Rankin, is Mewbourne gave me an -- I don't
20 want to get into the argument. I'll probably just
21 email you later some information on their interests in
22 the well unit that disagree with the ones that are set
23 forth on your Exhibit 8-2. But Division doesn't
24 litigate title, so I'll just email you some
25 information on that so you can get back to me on that.

1 MR. RANKIN: Very well.

2 MR. BRUCE: And that -- do you have any
3 idea when they intend to drill these wells?

4 MR. RANKIN: I'm not sure off the top
5 of my head, Mr. Bruce. I will have to make an
6 inquiry, but I don't know the answer to that question
7 off the top of my head.

8 MR. BRUCE: Okay. No further
9 questions, Madam Examiner, and certainly no objection
10 to the exhibits.

11 THE HEARING EXAMINER: Okay. Thank you
12 very much, Mr. Bruce.

13 Mr. Savage, do you have questions of
14 Mr. Rankin?

15 MR. SAVAGE: No questions today. No
16 objections. Thank you.

17 THE HEARING EXAMINER: All right.
18 Thank you.

19 And, Mr. Garcia, any questions?

20 MR. GARCIA: One question for Mr.
21 Bruce, actually.

22 Mr. Bruce, just to clarify, you do not
23 object to this case being taken under advisement or an
24 order issued?

25 MR. BRUCE: No, no. No, I don't, Mr.

1 Garcia. Any little difference in working interests
2 has to be worked out by the parties, and the Division
3 need not be involved in that.

4 MR. GARCIA: Just wanted to clarify for
5 my notes.

6 MR. BRUCE: Okay.

7 THE HEARING EXAMINER: Great. Thank
8 you, Mr. Garcia, Mr. Bruce, Mr. Savage, and Mr.
9 Rankin. The matter will be taken under advisement.

10 Let's move to case 23574. Marathon Oil
11 Permian is the applicant. Bing Clawsby is the well.
12 You guys are hilarious. Beatty & Wozniak appeared on
13 behalf of the applicant. Who's here on behalf of the
14 applicant?

15 MS. GRAHAM: Good morning, Madam
16 Examiner. This is Sophia Graham with Beatty & Wozniak
17 representing Marathon Oil Permian.

18 THE HEARING EXAMINER: All right. Good
19 morning.

20 MR. PARROT: Examiner, this is James
21 Parrot with Beatty & Wozniak. I'm also -- we're
22 representing Marathon together. Sophia is going to be
23 in charge of the hearing today, and I'm just here for
24 moral support.

25 THE HEARING EXAMINER: All right. Good

1 morning, Mr. Parrot.

2 I did not -- virtual connectivity
3 interruption -- for a moment to -- in the event anyone
4 would like to make an appearance this morning. No?
5 All right.

6 Please go ahead, Ms. Graham.

7 MS. GRAHAM: This case is an
8 application to pool all uncommitted interests in an
9 approximately 960-acre horizontal unit for the
10 Wolfcamp, covering the east half of Sections 3, 10,
11 and 15 of Township 23 South, Range 32 East, in Lea
12 County. The proposed Wolfcamp unit will be committed
13 to the following wells: Bing Clawsby WC Federal Com
14 701-H, 702-H, and 703-H.

15 This is a proximity-tracked unit, and
16 the proximity defining wells is the Bing Clawsby WC
17 Federal Com 702-H. And, Madam Examiner, I realize we
18 had a typo on the checklist in this regard; and with
19 your permission, we can file a corrected checklist
20 subsequent to this hearing.

21 THE HEARING EXAMINER: All right.
22 Thank you.

23 MS. GRAHAM: The exhibit packet that
24 was filed on Tuesday contains the checklist, the
25 application, and affidavits. Exhibit A is the pooling

1 checklist. Exhibit B is the application.

2 (Case 23574 Exhibit A and Exhibit B
3 were marked for identification.)

4 Exhibit C is the affidavit of
5 Marathon's land witness, Samuel Cox. Mr. Cox has
6 previously testified before the Division and had his
7 qualifications accepted as those of an expert of
8 petroleum land matters. He notes that all working
9 interests have voluntarily committed their interests,
10 so these applications pool only overriding royalty
11 interests.

12 (Case 23574 Exhibit C was marked for
13 identification.)

14 Exhibit C-1 is a general location map.
15 Exhibit C-2 contains the form C102s, and Mr. Cox notes
16 that there are no overlapping spacing units. Exhibit
17 C-3 depicts the spacing units and the wells, and C-4
18 includes the ownership within the units and identifies
19 the committed parties. Exhibit C-5 provides a
20 chronology of contacts, summarizing attempts to obtain
21 the participation of the pooled parties. Because this
22 application pools only overriding royalty interests,
23 there are no sample proposal letters or EFES included
24 in the exhibits today.

25 //

1 (Case 23574 Exhibit C-1 through Exhibit
2 C-5 were marked for identification.)

3 Moving on. Exhibit D is the affidavit
4 of Marathon's geology witness, Ms. Elizabeth Scully.
5 Ms. Scully has previously testified before the
6 Division and had her qualifications accepted as those
7 of an expert in petroleum geology.

8 (Case 23574 Exhibit D was marked for
9 identification.)

10 D-1 is the locator map. Exhibit D-2 is
11 a cross-section reference map. Exhibit D-3 is a
12 structure map off the top of the Wolfcamp. Ms. Scully
13 states that the wells are representative of the area,
14 geology, and that she observed no faulting, pinching,
15 or other geologic hazards to a developing horizontal
16 well. Exhibit D-4 is a cross-section of the upper
17 Wolfcamp showing gamma ray and resistivity logs, which
18 identifies the targeted intervals in the Wolfcamp
19 unit.

20 (Case 23574 Exhibit D-1 through Exhibit
21 D-4 were marked for identification.)

22 Exhibit E is the notice affidavit
23 showing the notice letters were mailed to the
24 addresses of record for all overriding royalty
25 interest owners, and immediately after the copy of the

1 notice letter is a list of the owners and the statuses
2 of mailing, along with the green cards. Finally,
3 Exhibit F is the affidavit of publication in the Hobbs
4 News-Sun.

5 (Case 23574 Exhibit E and Exhibit F
6 were marked for identification.)

7 And with that, I'd request that the
8 exhibits be admitted into the record, and the matter
9 be taken under advisement.

10 THE HEARING EXAMINER: All right.
11 Thank you, Ms. Graham.

12 Exhibits A through F are admitted.

13 (Case 23574 Exhibit A through Exhibit F
14 were received into evidence.)

15 Mr. Garcia, do you have any questions
16 of Ms. Graham?

17 MR. GARCIA: No questions. Just when
18 you file that checklist, will you add a -- like, a
19 mini affidavit before it stating what was changed?
20 It's just easier for us.

21 MS. GRAHAM: Yes, of course, Mr.
22 Garcia.

23 MR. GARCIA: Thank you.

24 THE HEARING EXAMINER: Okay. Thank
25 you. Thank you, Mr. Garcia. Thank you, Ms. Graham.

1 The matter will be taken under advisement, and we'll
2 look for the corrected checklist. Thank you.

3 MR. PARROT: Thank you, Madam Examiner.

4 THE HEARING EXAMINER: Let's move on to
5 cases 23672 and 23673. This is MRC Permian, the
6 applicant in each case. Scott King is the well name.
7 Holland & Hart appeared on behalf of the applicant.

8 Ms. Vance, are you here for the
9 applicant?

10 MS. VANCE: I am, Madam Hearing
11 Examiner. Paula Vance with the Santa Fe office of
12 Holland & Hart on behalf of the MRC Permian Company.

13 THE HEARING EXAMINER: Thank you.

14 And I saw an appearance by SK Warren
15 Resources; Montgomery & Andrews entering an appearance
16 for them. Ms. Shaheen, are you here for SK Warren
17 Resources?

18 MS. SHAHEEN: I am. Good morning,
19 Madam Examiner. Sharon Shaheen, Montgomery & Andrews
20 for SK Warren Resources. We do not object to this
21 case proceeding by affidavit today, and I will have no
22 questions.

23 THE HEARING EXAMINER: All right.
24 Well, thank you for anticipating my question.

25 Let me pause for a moment in the event

1 there are any other appearances. I don't hear
2 anything.

3 Ms. Vance, go ahead.

4 MS. VANCE: Thank you, Madam Hearing
5 Examiner. In these two cases, MRC Permian is seeking
6 to -- seeking approval to pool all uncommitted
7 interests in the Bone Spring formation. And that pool
8 is the Culebra Bluff Bone Spring South, and the pool
9 code is 15011. And in both cases, that's underlying
10 acreage all in Township 24 South, Range 28 East, Eddy
11 County, New Mexico.

12 And then specifically in case number
13 23672, MRC seeks to pool a standard 240-acre, more or
14 less, overlapping horizontal wells spacing unit -- and
15 that's comprised of the north half-north half of
16 Section 1 and the north half-northeast quarter of
17 Section 2 -- and initially dedicate the spacing unit
18 to the proposed Scott King State Com 111H, 121H, and
19 131H. And as I said, this is an overlapping spacing
20 unit, and that will be overlapping the Malaga 1 Com
21 Number 1 well, which is operated by Kaiser Francis Oil
22 Company.

23 And then in case number 23673, MRC is
24 seeking to pool a standard 240-acre, more or less,
25 horizontal well spacing unit -- and that's comprised

1 of the south half of the north half of Section 1 and
2 the south half of the northeast quarter of Section
3 2 -- and will initially dedicate this spacing unit to
4 the proposed Scott King State Com 112H, 122H, and 132H
5 wells.

6 In these cases, we have included a copy
7 of the applications, provided a compulsory pooling
8 checklist for each case, as well as the affidavits of
9 landman Reese Park and geologist Dan Brugioni; both of
10 whom have previously testified before the Division,
11 and their credentials have been accepted as a matter
12 of record. And Mr. Reese's affidavit is -- or Mr.
13 Reese's affidavit is Exhibit C, which includes all the
14 standard subexhibits.

15 (Cases 23672 and 23673 Exhibit C was
16 marked for identification.)

17 But in case number 23672, we have
18 included a copy of a map that depicts the overlap in
19 relation to the proposed spacing unit. Again, all of
20 the standard exhibits follow from there; which are the
21 C102s, a tract map ownership schedule with the
22 uncommitted working interest owners and interest
23 owners that MRC seeks to pool, a list of the
24 overriding royalty interests that MRC seeks to pool, a
25 copy of the sample well proposal letters and AFEs, and

1 a chronology of contacts.

2 This is followed by Mr. Brugioni's
3 affidavit, which is Exhibit D, and includes
4 subexhibits D-1 through D-3 -- and that is the locator
5 map, sub-C structure map, and structural cross-section
6 map. And in both cases, Mr. Brugioni did not observe
7 any faulting pinch-outs or other geologic impediments
8 to the horizontal drilling of these wells.

9 (Cases 23672 and 23673 Exhibit D
10 through Exhibit D-3 were marked for
11 identification.)

12 And then lastly is Exhibit E, a self-
13 affirmed statement of notice with sample letters that
14 were timely mailed on July 28, 2023; and Exhibit F,
15 which is an affidavit of notice of publication, which
16 was timely published on July 30, 2023.

17 (Cases 23672 and 23673 Exhibit E and
18 Exhibit F were marked for
19 identification.)

20 And I will note that going back to the
21 land exhibits, the last take points are actually
22 depicted at a nonstandard location. We will be
23 submitting revised C102s hopefully either this
24 afternoon or tomorrow; but either way, within the two-
25 week time frame the Division allows. And those last

1 take points will be depicted at a standard location.

2 And also one other thing to note.

3 The -- we also requested in case number 23672 approval
4 for overlap -- for overlapping spacing unit. We used
5 the notice that we sent out in that particular case to
6 meet the requirement for overlapping notice. You'll
7 see in the header of the letter that it provides that
8 notification and attention to the owners -- the
9 affected parties, and so we have not received any
10 objection and may drop that approval at this time.

11 And unless there's any questions, I
12 would ask that the exhibits and subexhibits be
13 taken -- admitted into the record, and that case
14 numbers 23672 and 23673 be taken under advisement at
15 this time. I'm going to stand by for any questions
16 from the Division.

17 THE HEARING EXAMINER: Thank you very
18 much, Ms. Vance.

19 Exhibits A through E and their
20 subattachments are admitted.

21 (Cases 23672 and 23673 Exhibit A
22 through Exhibit F were received into
23 evidence.)

24 Mr. Garcia, do you have questions of
25 Ms. Vance?

1 MR. GARCIA: No questions.

2 THE HEARING EXAMINER: All right.

3 Thank you. And Ms. Shaheen said that she did not have
4 any, so I believe the matter is ready to be taken
5 under advisement.

6 Thank you, Ms. Vance.

7 MS. VANCE: Thank you. Have a
8 wonderful afternoon.

9 THE HEARING EXAMINER: Thank you.

10 Last case on the docket worksheet for
11 today is 23681. Mewbourne Oil Company is the
12 applicant. It's a compulsory pooling application. La
13 Roca is the name of the well. Holland & Hart entered
14 an appearance for the applicant. Who's here for the
15 applicant?

16 Mr. Rankin?

17 MR. RANKIN: Good morning, Madam
18 Hearing Examiner. Last one at least. Adam Rankin
19 appearing on behalf of the applicant Mewbourne Oil
20 Company in this case for the Santa Fe office of
21 Holland & Hart.

22 THE HEARING EXAMINER: Thank you. I'll
23 pause for a moment in the event there are any other
24 appearances. Well, I don't hear anything.

25 Will you be proceeding by affidavit

1 this morning?

2 MR. RANKIN: That is my intent.

3 THE HEARING EXAMINER: Please go ahead.

4 MR. RANKIN: Good morning, Madam
5 Hearing Officer. In this case, Mewbourne is seeking
6 an order approving a 640-acre, more or less, non-
7 standard horizontal well spacing unit in the Bone
8 Spring formation underlying the west half of Sections
9 11 and 14 in Township 18 South, Range 33 East, in Lea
10 County, and also pooling all those uncommitted
11 interest owners within the acreage.

12 Now, the spacing unit will be dedicated
13 to the proposed La Roca 14/11 Fed Com 521H, and the La
14 Roca 14/11 Fed Come 523H wells, which will be
15 horizontally drilled from a common location in the
16 proposed section to different bottom hole locations in
17 Section 11.

18 Filed on Tuesday, Madam Examiner, were
19 the exhibit packets that goes along with this case.
20 They include Exhibits A through D. Exhibit --
21 attached also to the exhibit packets are the
22 compulsory pooling checklists which identify the
23 specific wells that are being dedicated to the space
24 unit, their locations, and other elements necessary
25 for a compulsive pooling order. Also attached is the

1 application that was filed in this case.

2 Exhibit A is the self-affirmed
3 statement of Tyler Jolly. He's landman with Mewbourne
4 Oil Company and has previously testified. He outlines
5 the -- for the Division what Mewbourne is seeking in
6 this case, the acreage proposed to initial wells, and
7 has also attached to his affidavit or supplement
8 statement is the -- are the C102s for each of the
9 wells that are proposed to be dedicated to the space
10 unit. It identifies the pool, the pool name, the pool
11 code; as well the footages for each of the wells.

12 (Case 23681 Exhibit A was marked for
13 identification.)

14 A-2 is a copy of the well -- space unit
15 plat identifying the tracts that comprise the space
16 unit as well as the ownership breakdown and interests
17 of each of the parties that Mewbourne is seeking to
18 pool in this case across the -- east of the tracts and
19 on a unit-line basis.

20 (Case 23681 Exhibit A-2 was marked for
21 identification.)

22 Exhibit A-3 -- I'm sorry. I may have
23 missed -- skipped over that. A-3 was the ownership
24 breakdown. Exhibit A-4 is a sample of the well
25 proposal letters that were sent out to each of the

1 parties and working interest owners in the case.

2 (Case 23681 Exhibit A-3 and Exhibit A-4
3 were marked for identification.)

4 A-5 is a status of the summary of
5 communications with each of those owners -- working
6 interest owners that Mewbourne seeks to pool.

7 Finally, Exhibit 6 -- A-6 is a copy of an offset
8 notice plat identifying the tracts that were provided
9 notice for the non-standard spacing unit in this case,
10 as well as a list of all those offsetting interest
11 owners who received notice.

12 (Case 23681 Exhibit A-5 and Exhibit A-6
13 were marked for identification.)

14 Exhibit B is a copy of the self-
15 affirmed of Mewbourne's petroleum geologist, Jordan
16 Carroll. Jordan has previously testified before the
17 Division and had credentials as an expert petroleum
18 geologist accepted.

19 (Case 23681 Exhibit B was marked for
20 identification.)

21 B-1 is an overview map identifying the
22 location of the space unit within I believe it's a --
23 is that Eddy or Lea County? I said -- I apologize.
24 It's within Lea County. Exhibit B-2 is a copy of the
25 structure map identifying the structure on the

1 Wolfcamp as well as the cross-section map from A to A
2 Prime.

3 (Case 23681 Exhibit B-1 and Exhibit B-2
4 were marked for identification.)

5 Exhibit B-3 is that cross-section
6 identifying the target zones east of the wells that
7 we'll be targeting in this case, and Mr. Carroll
8 identifies and confirms that the acreage is suitable
9 for a horizontal well development.

10 (Case 23681 Exhibit B-3 was marked for
11 identification.)

12 Exhibit C is the affidavit prepared by
13 me reflecting that we have the prior notice to each of
14 the parties that Mewbourne is seeking to pool in this
15 case, and the dates and which notice was provided by
16 certified mail and also by affidavit of publication.

17 (Case 23681 Exhibit C was marked for
18 identification.)

19 Attached to my affidavit is a sample of
20 the notice letter that was sent out reflecting that we
21 gave notice to each of the parties of today's hearing
22 and that the application as well as the status of
23 mailings that was sent out for each of those parties
24 as well -- let's see -- as well as a copy of the
25 notice of the letter that went out for the non-

1 standard spacing unit and the status of the certified
2 mailings to each of those parties offsetting or
3 required to get notice of the non-standard spacing
4 unit request.

5 Finally, Exhibit D is a copy of the
6 affidavit of publication reflecting that we have given
7 notice to all of the parties affected in this case by
8 identifying them by name in the newspaper, and that
9 was timely published in the Hobbs News-Sun.

10 (Case 23681 Exhibit D was marked for
11 identification.)

12 At this time, Madam Examiner, I would
13 move the admission of Exhibits A through D into the
14 record and ask that the case be taken under
15 advisement.

16 THE HEARING EXAMINER: Thank you, Mr.
17 Rankin.

18 Exhibits A through D are admitted.

19 (Case 23681 Exhibit A through Exhibit D
20 were received into evidence.)

21 Mr. Garcia, do you have questions of
22 Mr. Rankin?

23 MR. GARCIA: No questions.

24 THE HEARING EXAMINER: All right.

25 Thank you. It sounds like the matter is ready to be

1 taken under advisement.

2 Thank you very much, Mr. Rankin.

3 So we have come to the end of the
4 worksheet. Is there anything further from anyone
5 before we adjourn? No?

6 Well, how about have a great week, and
7 we will see you later. Bye.

8 (Whereupon, at 10:10 a.m., the
9 proceeding was concluded.)

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CERTIFICATE OF DEPOSITION OFFICER

I, DANA FULTON, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



DANA FULTON
Notary Public in and for the
State of Missouri

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CERTIFICATE OF TRANSCRIBER

I, RACHEL HUFF, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



RACHEL HUFF

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[application - burnett]

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[business - companies]

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