

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:

ORIGINAL

APPLICATION OF DEVON ENERGY PRODUCTION  
COMPANY, LP, FOR POOL EXPANSION AND  
SPECIAL POOL RULES, EDDY COUNTY, NEW MEXICO

Case 14936

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: RICHARD EZEANYIM, Presiding Examiner  
DAVID K. BROOKS, Legal Examiner

November 29, 2012

Santa Fe, New Mexico

This matter came on for hearing before the  
New Mexico Oil Conservation Division, RICHARD EZEANYIM,  
Presiding Examiner, and DAVID K. BROOKS, Legal Examiner,  
on Thursday, November 29, 2012, at the New Mexico Energy,  
Minerals and Natural Resources Department, 1220 South St.  
Francis Drive, Room 102, Santa Fe, New Mexico.

REPORTED BY: Jacqueline R. Lujan, CCR #91  
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1	A P P E A R A N C E S	
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1 EXAMINER EZEANYIM: We call the last case,  
2 Case 14936, application of Devon Energy Production  
3 Company, LP, for pool expansion and special pool rules,  
4 Eddy County, New Mexico. Call for appearances.

5 MR. BRUCE: Mr. Examiner, Jim Bruce, of  
6 Santa Fe, representing the applicant. I have three  
7 witnesses.

8 EXAMINER EZEANYIM: Any other appearances?  
9 Okay. Will the three witnesses stand up,  
10 state your name and be sworn, please?

11 MR. GRAY: Ken Gray.

12 MR. BENTLEY: Jeff Bentley.

13 MR. BLUMSTEIN: Raleigh Blumstein.

14 (Three witnesses were sworn.)

15 EXAMINER EZEANYIM: You may proceed.

16 KEN GRAY

17 Having been first duly sworn, testified as follows:

18 DIRECT EXAMINATION

19 BY MR. BRUCE:

20 Q. Would you please state your name and city of  
21 residence?

22 A. Yes. Ken Gray. I live in Oklahoma City,  
23 Oklahoma.

24 Q. Who do you work for, and in what capacity?

25 A. I work for Devon Energy Corporation, landman.

1 Q. Have you previously testified before the  
2 Division?

3 A. Yes.

4 Q. Were your credentials as an expert landman  
5 accepted as a matter of record?

6 A. Yes, they were.

7 Q. Are you familiar with the land matters  
8 involved in this case?

9 A. I am.

10 MR. BRUCE: Mr. Examiner, I tender  
11 Mr. Gray as an expert petroleum landman.

12 EXAMINER EZEANYIM: Mr. Gray is so  
13 qualified.

14 Q. (By Mr. Bruce) Mr. Gray, could you identify  
15 Exhibit 1 for the Examiner and describe what Devon seeks  
16 in this case?

17 A. Exhibit 1 shows an outline of the existing  
18 boundary of the Northwest Fenton-Delaware Pool boundary.  
19 The red dotted line is the proposed extension or  
20 expansion of the pool boundary that we're seeking to  
21 obtain.

22 We re-completed the Lonetree 14 State Com  
23 Number 1, which is on that map, located in the southeast  
24 quarter of the northeast quarter of Section 14. We  
25 drilled -- are in the process of completing the Lonetree

1 Draw 13 State 2H, which is in the west half/west half of  
2 Section 13. And we have re-completed the Lonetree Number  
3 1. The name of it is not on here, but it's in the  
4 northeast of the southwest of Section 13.

5 And we are seeking to expand the pool -- the  
6 boundaries of the pool and increase the allowable from  
7 the existing 80 barrels of oil per day to 200 barrels of  
8 oil per day.

9 Q. Do you seek the approval retroactive to the  
10 date of first production from the Lonetree 14 State Com  
11 Number 1?

12 A. That would be approximately one year ago.  
13 Yes.

14 Q. Does the pool currently have any special  
15 rules?

16 A. No.

17 Q. It's statewide rules?

18 A. Yes.

19 Q. And what is Exhibit 2?

20 A. Exhibit 2 is a list of the OCD's records of  
21 the current operators in the Northwest Fenton-Delaware  
22 Pool.

23 Q. What is Exhibit 3?

24 A. Exhibit 3 is an email from me to the operators  
25 in the pool, dated November 15th, when we -- I guess when

1     you decided to fast track this, we gave them notice by  
2     email so they would have plenty of opportunity to have  
3     notice of the hearing.

4           Q.     And so we had an emergency hearing, I believe,  
5     on the 13th or 14th of --

6           A.     A couple of weeks ago, yes.

7           Q.     And because of a shortened notice period, you  
8     sent emails to each of the operators listed on Exhibit 2?

9           A.     That's right.

10          Q.     Was notice given by Certified Mail to all of  
11     the operators?

12          A.     Yes.

13          Q.     Is that reflected in Exhibit 4?

14          A.     That's correct.

15                   MR. BRUCE: Mr. Examiner, when you look at  
16     it, they all received notice. I have not gotten a green  
17     card back from Ranger 40 Petroleum, LLC. That white  
18     Certified Mail receipt was copied, together with a page  
19     from the Division's list of operators, just to show we  
20     gave notice to the address listed in the Division's  
21     records. So I believe proper notice has been given to  
22     everyone.

23          Q.     (By Mr. Bruce) Mr. Gray, were Exhibits 1  
24     through 4 prepared by you or compiled from company  
25     records?

1           A.     Yes, they were.

2           Q.     In your opinion, is the granting of this  
3 application in the interest of conservation and the  
4 prevention of waste?

5           A.     Yes.

6                   MR. BRUCE: Mr. Examiner, I move the  
7 admission of Exhibits 1 through 4.

8                   EXAMINER EZEANYIM: Exhibits 1 through 4  
9 will be admitted.

10                   (Exhibits 1 through 4 were admitted.)

11                  MR. BRUCE: I have no further questions of  
12 the witness.

13                  EXAMINER BROOKS: No questions.

14                  EXAMINER EZEANYIM: Mr. Gray, you are the  
15 land person?

16                  THE WITNESS: Yes.

17                  EXAMINER EZEANYIM: I've talked to you  
18 before. I don't think I have any questions I want to  
19 ask. If you need to be recalled, I may recall you. But  
20 we may have a geologist or engineer to answer the  
21 questions. You are excused.

22                  THE WITNESS: Thank you.

23                  EXAMINER EZEANYIM: Call your next  
24 witness.

25

1 RALEIGH BLUMSTEIN

2 Having been first duly sworn, testified as follows:

3 DIRECT EXAMINATION

4 BY MR. BRUCE:

5 Q. Would you please state your name and city of  
6 residence for the record?

7 A. Raleigh Blumstein; Oklahoma City, Oklahoma.

8 Q. Who do you work for, and in what capacity?

9 A. Devon Energy. I'm a senior geologist.

10 Q. Have you previously testified before the  
11 Division?

12 A. No, I have not.

13 Q. Could you briefly summarize your educational  
14 and employment background for the Examiner?

15 A. A BS at the University of Oklahoma in  
16 Petroleum Geology, a Master's degree from the University  
17 of Oklahoma in Geology.

18 I worked for two years with Baker Hughes, six  
19 and a half years with Hess Corporation, and a year and a  
20 half with Devon Energy.

21 Q. In your job at Devon, are you familiar with  
22 the geology involved in this case?

23 A. Yes.

24 Q. And 21 South, 27 East, in that general area,  
25 your area of responsibility at Devon as a geologist?



1           A.     Yes.

2                     MR. BRUCE: Mr. Examiner, I tender  
3 Mr. Blumstein as an expert petroleum geologist.

4                     EXAMINER EZEANYIM: He's so qualified.

5           Q.     (By Mr. Bruce) Let's just run through your  
6 exhibits. What is Exhibit 5?

7           A.     Exhibit 5 is a gross isopach of what we call  
8 the A1 Sand. It's shown on here. It shows that it  
9 pinches out to the west, just west of our Lonetree 14 Com  
10 1 re-completion in Section 14.

11                    As we move to the east, the sand thickens to a  
12 greater interval in our second re-completion, which is  
13 the Lonetree Number 1 in Section 13. And I've also  
14 identified on there a four-well cross-section from west  
15 to east, which I'll refer to on Exhibit 7, if we can do  
16 that.

17           Q.     Yeah. Why don't you move on?

18           A.     Exhibit 7 shows that four-well cross-section.  
19 The sand of interest for our re-completion in those two  
20 wells is highlighted in yellow.

21                    You can see the Lonetree 14 State Com 1 is the  
22 second well from left to right, and we perforated at  
23 10-foot intervals. You can see the perforations are the  
24 pink intervals within that thin, yellow highlighted sand.  
25 In the downdip well, Lonetree 1, we perforated both that

1 sand and slightly above that.

2 Q. Was that also a re-completion?

3 A. Yes, it was.

4 And the cross-section is just to highlight  
5 that that sand pinches out updip and is isolated to the  
6 west.

7 Exhibit 6 that I skipped is a net sand isopach  
8 of that same unit, same sand. The net isopach is defined  
9 by a porosity cutoff of 15 percent. It shows a similar  
10 pattern in that net isopach.

11 Q. So the Delaware is continuous across this  
12 area?

13 A. The Delaware is a thick section, roughly 2,500  
14 feet thick, in this area.

15 Q. These are Brushy Canyon completions?

16 A. Yes. Correct.

17 Q. Now, also on your Exhibit 6, certain wells  
18 were mentioned. The wells on the cross-section, the one  
19 in the northeast quarter of Section 14 and the one in the  
20 southwest quarter of 13, again, are the re-completions;  
21 correct?

22 A. Correct.

23 Q. And the one horizontal well in between, that  
24 well was drilled. Has it been completed yet?

25 A. It has been completed just recently.

1 Q. And then the other well in the east half of  
2 Section 13, is that a proposed well by Devon?

3 A. That is a proposed well.

4 Q. What is Exhibit 8?

5 A. Exhibit 8 shows the wells that constitute the  
6 Fenton-Northwest Delaware Pool, highlighting the top of  
7 the perf interval in blue and the base of the perf  
8 interval in red. It's just showing that there's a large  
9 difference between what is the historical pool  
10 perforation interval and what we have targeted in the two  
11 re-completions and the recent horizontal well.

12 This is also highlighted in the cross-section  
13 labeled A, B, C, that's shown in Exhibit 9. Exhibit 9 is  
14 a cross-section through our two re-completions. And well  
15 C, which is the Big Eddy 98, was the well that defined  
16 the Fenton-Northwest Pool originally.

17 And you can -- what I'm highlighting is that  
18 the original pool was defined by sands in and around 29-  
19 to 3,100 TVD. And we've re-completed to sands  
20 approximately 1,900 feet deeper in the Brushy interval on  
21 wells A and B.

22 Q. So when looking at your exhibit, most of the  
23 completions were right around 3,000 feet?

24 A. That's correct.

25 Q. Is that a Cherry Canyon interval?

1 A. That's the top of the Cherry Canyon.

2 Q. But there are several that also had  
3 completions 2,500, 2,700 feet deeper than that; is that  
4 correct?

5 A. Yeah. There are some that include, it looks  
6 like, perforations in the Avalon sand. The Bone Spring,  
7 that was down at 5,600 feet.

8 Q. What is Exhibit 10?

9 A. Exhibit 10, it was my understanding that there  
10 was a question about the permeability of the reservoir  
11 that we re-completed. This is a CMR log that we ran in  
12 the recent horizontal, the pilot hole for that, the  
13 Lonetree Draw 13 State 2H, and -- I'm losing my voice.

14 EXAMINER EZEANYIM: Do you need a break?

15 THE WITNESS: Yes.

16 EXAMINER EZEANYIM: Let's take a  
17 five-minute break.

18 (A recess was taken.)

19 EXAMINER EZEANYIM: We are going to go  
20 back into the record concerning Case 14936, after giving  
21 you time to collect yourself.

22 So you may proceed.

23 Q. (By Mr. Bruce) And again, Mr. Blumstein, what  
24 does Exhibit 10 reflect?

25 A. Exhibit 10 is a CMR log. And there was some

1 question, I guess, about the permeability at the  
2 reservoir, the quality that it was.

3 And the third tract is all I'm trying to  
4 highlight. The blue shaded curve is the calculated  
5 permeability. And I've just highlighted -- you see the  
6 20, 45 and 30, these are in millidarcies. So this is the  
7 reservoir we are targeting. On average, it's in the 20  
8 to 40 millidarcy permeability. And that is all.

9 Q. Were Exhibits 5 through 10 prepared by you or  
10 under your supervision?

11 A. Yes.

12 Q. In your opinion, is the granting of this  
13 application in the interest of conservation and the  
14 prevention of waste?

15 A. Yes.

16 MR. BRUCE: Mr. Examiner, I move the  
17 admission of Exhibits 5 through 10.

18 EXAMINER EZEANYIM: Exhibits 5 through 10  
19 will be admitted.

20 (Exhibits 5 through 10 were admitted.)

21 MR. BRUCE: I have no further questions of  
22 witness.

23 EXAMINER BROOKS: No questions.

24 EXAMINER EZEANYIM: Have you testified  
25 here before?

1 THE WITNESS: No, I have not.

2 EXAMINER EZEANYIM: No wonder you are  
 3 getting choked up. We are not bullies. We are very  
 4 friendly here.

5 EXAMINATION

6 BY EXAMINER EZEANYIM:

7 Q. What is the average porosity we are talking  
 8 about? You mentioned something about the Cherry Canyon?  
 9 I thought you were talking about Fenton. Which pool are  
 10 we talking about here?

11 A. Referring to the log that I just spoke of,  
 12 this is the new well that we drilled, which is currently  
 13 assigned to the Fenton-Delaware Northwest Pool. This log  
 14 is from a new drill. We drilled the final hole and then  
 15 a lateral that we --

16 EXAMINER EZEANYIM: Maybe your engineer  
 17 will answer this, because I want you to go now and rest.  
 18 Do you have an engineer to testify today?

19 THE WITNESS: Yes.

20 EXAMINER EZEANYIM: Very good. You may be  
 21 excused.

22 MR. BRUCE: Mr. Examiner, in response to  
 23 one of your questions, it's just that the original  
 24 completions in this pool were Cherry Canyon-Delaware  
 25 completions. These more recent ones are in the Brushy

1 Canyon.

2 EXAMINER EZEANYIM: Okay. Call your next  
3 witness.

4 JEFF BENTLEY

5 Having been first duly sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MR. BRUCE:

8 Q. Please state your name and city of residence.

9 A. Jeff Bentley, Oklahoma City.

10 Q. Who do you work for, and in what capacity?

11 A. Devon Energy. I'm a reservoir engineer.

12 Q. Have you previously testified before the  
13 Division?

14 A. No, I have no.

15 Q. Would you summarize your educational and  
16 employment background?

17 A. Education is a petroleum engineering degree,  
18 Colorado School of Mines. What was the other part?

19 Q. And employment.

20 A. Devon Energy, four and half years.

21 Q. Does your area of responsibility include this  
22 portion of Southeast New Mexico?

23 A. Yes.

24 Q. Are you familiar with the reservoir  
25 engineering involved in this application?

1 A. Yes, I am.

2 MR. BRUCE: Mr. Examiner, I tender  
3 Mr. Bentley as an expert reservoir engineer.

4 EXAMINER EZEANYIM: He is so qualified.

5 Q. (By Mr. Bruce) Mr. Bentley, let's move on to  
6 one of your two exhibits. Exhibit 1, what does this  
7 reflect?

8 A. This is reflecting the production performance  
9 from the first well that we re-completed. It was a  
10 little 10-foot interval that we perforated and put a  
11 small 27,000-pound frack on.

12 EXAMINER EZEANYIM: You're talking about  
13 Exhibit 11?

14 MR. BRUCE: Yes.

15 EXAMINER EZEANYIM: You said "1."

16 MR. BRUCE: I'm sorry.

17 A. As you can see, the oil production rate came  
18 in really well, higher than what we anticipated. We  
19 anticipated something like a barrel range per day kind of  
20 rate. This came in at several hundred barrels. We  
21 thought this would fall fairly quickly, but it has not.  
22 It has hung around in, I guess, around a 200-barrel-a-day  
23 range for over a year now.

24 Q. This well was originally drilled to the  
25 Morrow --



1           A.     I believe so.

2           Q.     -- and then re-completed uphole?

3                   And this was one of your last efforts to keep  
4 the well active?

5           A.     Yes.

6           Q.     And this is what initiated the reason for  
7 seeking the pool rules in this area?

8           A.     Yes.

9           Q.     Now, you appeared -- we had an emergency  
10 hearing on this case, and you were talking about the  
11 amount of fluids involved. Really, there's only a couple  
12 hundred barrels of fluids being produced from this well;  
13 correct?

14          A.     At the current rate, yeah. Total fluid coming  
15 out of this well is about 200.

16          Q.     And so it is not voluminous, in your opinion?

17          A.     No. It just has a really high oil saturation,  
18 which exceeds the allowable of 80 barrels per day.

19          Q.     Let's move on to your Exhibit 12 and discuss  
20 what well this is.

21          A.     This is another re-completion. We moved over  
22 to the east in Section 13. And again, you can see the  
23 oil rate there came in at about 70 to 80 barrels. The  
24 water rate was significantly higher. I'm trying to show  
25 that the total fluid volume coming out of this well is

1 roughly 150 to 200 barrels per day, also. So they're  
2 fairly equivalent. It's just that this second Lonetree  
3 13 K State 1 Well, its oil saturation is less.

4 Q. So you're not withdrawing a lot of fluids out  
5 of the reservoir?

6 A. No. I'm not concerned to where we're damaging  
7 the reservoir in any way.

8 Q. So even producing at above the current  
9 allowable is not damaging the reservoir?

10 A. No.

11 Q. And it won't lead to a decreased recovery of  
12 reserves in the future?

13 A. It will not.

14 Q. Insofar as -- at this point, the well is  
15 overproduced. Why do you not want to shut in the well or  
16 try to reduce the well down to 80 barrels of oil per day  
17 or less?

18 A. Currently, we don't have any electricity out  
19 there, and we're pumping this on an old Ajax pumping unit  
20 at about seven strokes per minute. In talking with the  
21 field production guys out there, it's hard to run that  
22 thing at anything less than five strokes per minute. To  
23 get this down to a stroke per minute that will just  
24 produce the 80 barrels would, I think, be -- it would be  
25 difficult. It would be really hard to keep that thing

1 running. It would be shutting itself off. It will be  
2 intermittent.

3 So in order to, I guess, keep this thing  
4 flowing, it's best just to keep it running at its current  
5 rate.

6 Q. Is it your concern that if you did have to  
7 shut in the well for an extended period of time, that the  
8 well could be damaged?

9 A. For an extended period of time, I do believe  
10 we could damage the wellbore.

11 Q. And again, you don't -- you stated there is no  
12 harm to the reservoir from producing at 200 barrels a  
13 day. Is that another reason not to shut in the well,  
14 since there's no harm to the reservoir?

15 A. Yeah. There's no harm to the reservoir.

16 Q. Again, we had the emergency hearing and got a  
17 15-day order. Do you request an extension of the  
18 emergency order so that while the Division is considering  
19 this application, you do not need to shut the well in?

20 A. Yes, I request that.

21 Q. Again, to avoid damage to the wellbore?

22 A. (Witness nods head.)

23 Q. Do you see any harm to any offsets from  
24 producing the well at 200 barrels a day?

25 A. No, I do not.

1 Q. And again, the previous exhibits by the other  
2 witnesses show that Devon has re-completed offset wells  
3 or is drilling offset wells to protect that acreage?

4 A. Yes.

5 Q. Were Exhibits 11 and 12 prepared by you?

6 A. Yes, they were.

7 Q. And in your opinion, is the granting of this  
8 application in the interest of conservation and the  
9 prevention of waste?

10 A. Yes

11 MR. BRUCE: Mr. Examiner, I move the  
12 admission of Exhibits 11 and 12.

13 EXAMINER EZEANYIM: Exhibits 11 and 12  
14 will be admitted.

15 (Exhibits 11 and 12 were admitted.)

16 MR. BRUCE: I have no further questions of  
17 the witness.

18 EXAMINER EZEANYIM: Do you have any  
19 questions?

20 EXAMINER BROOKS: No questions.

21 EXAMINER EZEANYIM: Let's address some  
22 something you said about extending the emergency order.  
23 I want you to address that. We heard the case today. I  
24 don't think we need to extend that.

25 MR. BRUCE: Whatever. I'm just playing it

1 safe.

2 EXAMINER EZEANYIM: We need to --

3 EXAMINER BROOKS: We're not going to issue  
4 a final order today.

5 EXAMINER EZEANYIM: No.

6 EXAMINER BROOKS: So yes, I think we need  
7 to -- if we deem it appropriate, after the hearing, we  
8 need to issue an interim order that will extend the  
9 emergency order until a final order is issued. And I  
10 think we have the authority, under the Oil and Gas Act,  
11 to do that. Because only an order issued without a  
12 hearing is subject to the 15-day limitation.

13 EXAMINER EZEANYIM: So the interim order  
14 can last as long as --

15 EXAMINER BROOKS: It can as long as we  
16 want it to.

17 EXAMINER EZEANYIM: Until we issue the new  
18 order?

19 EXAMINER BROOKS: Right.

20 EXAMINER EZEANYIM: Okay. I would like  
21 that to happen, because I don't want the well to be shut  
22 in. But I need to get some data.

23 EXAMINATION

24 BY EXAMINER EZEANYIM:

25 Q. On this one -- I made a comment in the morning

1 about overproduction. There's nothing like  
2 overproduction. Did you hear what I said? I said,  
3 "There's nothing like overproduction." I'm concerned you  
4 are not damaging the reservoir, there is no correlative  
5 rights issues, and we are going to get all the oil we are  
6 going to get using primary production.

7 If we can do that, in my book, I don't think  
8 there is anything like overproduction. The way we do it  
9 and what is that way, that's why we're here. As I said  
10 in the morning, that's what prompted me to do this. And  
11 I didn't know how many of the operators there did what  
12 you did and continue to do it. It's not appropriate.

13 What we want to do is during the one-month  
14 test allowable, you know your AIPs. You know what you're  
15 doing to do. You know what you have to do. You come in  
16 for an increased allowable. And we do it, as long as  
17 those three things don't happen. Somebody saying  
18 correlative rights being impaired, we might take a look  
19 at it again. If you do what you are trying to do and  
20 the well is going to be damaged, we are not going to  
21 issue it to you.

22 Most of them are solution gas drive. I'm  
23 going to ask some questions about that. I don't think  
24 your reservoir is going to be harmed if we produce at the  
25 daily rate that we give you. The point I'm making here

1 is I don't want overproduction. Don't say, "I'm  
2 overproducing." Just come in and say, "It looks like  
3 this well is going to do well, and we love it," instead  
4 of you hiding something, and we go back to hearing and  
5 get you some relief.

6 Now, let's go back to the question I'm asking.  
7 What is making it and driving this reservoir  
8 production-wise?

9 A. This is a depletion drive/solution gas drive  
10 reservoir.

11 Q. How many mechanisms? That's gas drive? There  
12 is no gravitation or segregation?

13 A. No.

14 Q. It's just gas drive?

15 A. Yes.

16 Q. Because it's solution gas drive; is that what  
17 you're telling me?

18 A. Yes.

19 Q. We can call this also a depletion drive?

20 A. A depletion drive is another name for it.

21 Q. Do you happen to know the bubble point?

22 A. I do not.

23 Q. Do you know the reservoir pressure?

24 A. Off the top of my head, the reservoir pressure  
25 is probably -- it's normally pressured, so --

1 Q. Normal pressure at the depth?

2 A. Yes. And it's 4,900 feet down, so we get back  
3 into something around 2,900, 3,000 psi.

4 Q. I know you don't know the bubble point. Are  
5 you still above the bubble point?

6 A. I believe these things, the Delaware wells in  
7 particular, are probably right around bubble point. I  
8 don't see anything that suggests that we're falling  
9 through and seeing any kind of GOR kind of increase.  
10 This has been fairly stable for the life of this well for  
11 over a year.

12 Q. I can see you are still low there, which is  
13 good.

14 A. This is a pretty -- I'm sure the pressures  
15 dropped quite a bit with the amount of fluid that has  
16 been pulled out. And I'm not seeing a spike in GOR, so I  
17 imagine this was already below bubble point or right at  
18 bubble point when we produced it.

19 Q. Interesting. I need to follow the progress of  
20 that well to see -- you know what happens when you are  
21 below bubble point. But if you are below bubble point  
22 and it's still very prolific, that's interesting. As you  
23 produce this well, I'm going to keep the API number and  
24 start looking at it and see what it does.

25 You might get your increasing allowable, but I



1 want you to produce it. I don't want you to shut it in  
2 or curtail it. If you curtail it, you might lose the oil  
3 production there. There's no need to curtail it. Look  
4 at the gas/oil ratio. It's very low.

5 A. Yes. It's typical for a Delaware well.

6 Q. What is the thickness of this production  
7 interval, about 10 feet?

8 A. For this well, it's about 10 feet. But as we  
9 moved out -- from the exhibits, the geology exhibits, you  
10 see that it does increase as we move to the east.

11 Q. Okay. The depth increases?

12 A. It thickens up. So this is kind of a little  
13 pinchout point.

14 Q. It's still doing well?

15 A. Yes.

16 Q. You're asking also to expand the pool; right?

17 A. Yes.

18 Q. You're expanding the pool. And you have three  
19 wells in those pools; right? I'm not trying to get you.  
20 I'm asking questions.

21 A. I'm trying to understand.

22 Q. You have drilled some new wells in this pool?

23 A. Yes.

24 Q. Now, your geologist says you have completed  
25 it. How is it doing?

1 A. It's doing well.

2 Q. When did you complete it?

3 A. We completed it about a little over a week  
4 ago.

5 Q. So you are still testing the --

6 A. It's still early.

7 Q. So that was just a week ago, even before we  
8 issued the emergency order?

9 A. Yes.

10 Q. So you don't know what it's going to do?

11 A. I don't know what it's going to do. But I can  
12 tell you now that it's going to probably exceed the  
13 80-barrel allowable per 40 acres.

14 Q. I like that. Is it going to exceed 200  
15 barrels, you think? Is it going exceed 200 barrels a  
16 day?

17 A. Yes.

18 Q. Is it going to?

19 A. Yes.

20 Q. This new well?

21 A. Yes.

22 Q. Then why are you asking for 200 barrels a day?

23 MR. BRUCE: It would be 200 per 40 acres.

24 And the new well is --

25 THE WITNESS: I thought you were asking

1 200 all in.

2 EXAMINER EZEANYIM: No.

3 THE WITNESS: You were asking per 40?

4 EXAMINER EZEANYIM: Yes.

5 THE WITNESS: No, I don't think it's going  
6 to exceed that.

7 EXAMINER EZEANYIM: That's what I mean.  
8 You should ask for more. And if you ask for more, we do  
9 it, because I want you to get it out. But you understand  
10 what I'm saying? Okay.

11 You have two wells. One is not completed.  
12 The other one was completed just last week. The other  
13 one is still coming on. And in that portion of the  
14 acreage, you want to add to that pool; right? Is that  
15 correct?

16 MR. BRUCE: Mr. Examiner, if you look at  
17 Exhibit 1, the land plat --

18 EXAMINER EZEANYIM: I see where you want  
19 to add, those dark lines.

20 MR. BRUCE: -- there are actually now  
21 three wells in that expansion acreage.

22 EXAMINER EZEANYIM: And one has already  
23 produced for one week?

24 MR. BRUCE: The two vertical wells have  
25 been completed and producing for -- well, the one in

1 Section 13, the vertical well, as shown on Exhibit 12,  
2 has been completed for a couple of months or two now.

3 THE WITNESS: Yeah, I think two months.

4 MR. BRUCE: A couple of months. And then  
5 that horizontal well is the new well. So there are wells  
6 in the west half of 13 and the northeast quarter of 14.

7 Q. (By Examiner Ezeanyim) Okay. These are  
8 vertical wells?

9 A. Two verticals and one horizontal.

10 Q. Which one is horizontal?

11 A. The one right between the two verticals.

12 Q. It's not producing yet?

13 A. It's been producing for about a week. It's  
14 still early.

15 Q. Okay. I see.

16 What type of decline are you expecting?

17 A. Type of decline on that? Typically, I see  
18 decline rates of about 80 percent per year.

19 Q. So it's normal decline?

20 A. Yes.

21 Q. Okay. So you are saying it's normal decline,  
22 it's not going to be hyperbolic?

23 A. It is hyperbolic.

24 Q. It is?

25 A. Yes.

1 Q. Okay.

2 A. Again, with only a week, this is what we see  
3 out here for typical Delaware wells, characteristic  
4 hyperbolic shaped, kind of high IPs, falling off at about  
5 80 to 85 percent per year for a year or two. And then we  
6 have them going into exponential decline at about, I  
7 don't know, 8 to 10 percent after that.

8 Q. On the well that you plugged back, is that  
9 going to be hyperbolic or exponential, too?

10 A. The well that I plugged back?

11 Q. The one that you plugged back that brought us  
12 here.

13 MR. BRUCE: The 14.

14 A. Oh, this one?

15 Q. Yeah.

16 A. This one is just -- I don't know. This is  
17 exponential. To me, this isn't hyperbolic. This is on  
18 an exponential decline.

19 Q. Okay. And you concur with the average  
20 effective porosity as 14 percent; right?

21 A. Yes, in tens of millidarcies.

22 Q. What is it?

23 A. Somewhere 10 to 50 in the millidarcy range.  
24 Porosity, from our logs, shows 12 to 20 percent, the  
25 average being probably around 16 percent.

1 Q. Gas/oil ratio is about less than 1,000?

2 A. It comes on a little bit less. And then as  
3 these things produce, they creep up to about 1,000,  
4 usually a one-to-one, with your oil.

5 EXAMINER EZEANYIM: I'm happy with that.  
6 If this is below bubble point, I'm happy with the gas/oil  
7 ratio.

8 Okay. I have nothing further.

9 MR. BRUCE: I have no further questions of  
10 the witness.

11 EXAMINER EZEANYIM: Okay. Very good. You  
12 may step down.

13 Well, at this point, Case 14936 will be taken  
14 under advisement. And I think that is it for today.  
15 Thank you.

16 EXAMINER BROOKS: Okay. We're going to  
17 want a draft of the extension order this afternoon.

18 MR. BRUCE: You want me to email you  
19 something tomorrow morning?

20 EXAMINER BROOKS: That would be good. I  
21 won't be here, but you can send it to Richard.

22 MR. BRUCE: Okay. I'll email it.

23 EXAMINER BROOKS: It should be very  
24 simple. We just extend the existing order.

25 EXAMINER EZEANYIM: Okay. Thank you.

I do hereby certify that the foregoing is a complete record of the proceedings in the Examiner hearing of 14936.  
Recorded by me on 11/29/12  
Paul Baca  
Oil Conservation Division  
704-44-18e7-401e-9fc0-b66cbabd9cdc

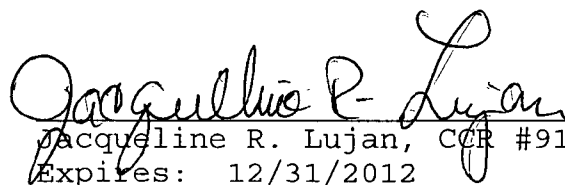
## REPORTER'S CERTIFICATE

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I, JACQUELINE R. LUJAN, New Mexico CCR #91, DO  
HEREBY CERTIFY that on November 29, 2012, proceedings in  
the above captioned case were taken before me and that I  
did report in stenographic shorthand the proceedings set  
forth herein, and the foregoing pages are a true and  
correct transcription to the best of my ability.

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

WITNESS MY HAND this 11th day of December,  
2012.

  
Jacqueline R. Lujan, CCR #91  
Expires: 12/31/2012