

## STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

**RECEIVED**

OIL CONSERVATION DIVISION

JUN 13 2003

Oil Conservation Division

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

CASE NO. 13,081

APPLICATION OF DAVID H. ARRINGTON OIL )  
 AND GAS, INC., FOR COMPULSORY POOLING, )  
 LEA COUNTY, NEW MEXICO )

**ORIGINAL**REPORTER'S TRANSCRIPT OF PROCEEDINGSEXAMINER HEARING

BEFORE: MICHAEL E. STOGNER, Hearing Examiner

June 10th, 2003

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, MICHAEL E. STOGNER, Hearing Examiner, on Tuesday, June 10th, 2003, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint Francis Drive, Room 102, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

\* \* \*

STEVEN T. BRENNER, CCR  
 (505) 989-9317

## I N D E X

June 10th, 2003  
Examiner Hearing  
CASE NO. 13,081

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\* \* \*

## A P P E A R A N C E S

## FOR THE DIVISION:

DAVID K. BROOKS, JR.  
Attorney at Law  
Energy, Minerals and Natural Resources Department  
Assistant General Counsel  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

## FOR THE APPLICANT:

HOLLAND & HART, L.L.P., and CAMPBELL & CARR  
110 N. Guadalupe, Suite 1  
P.O. Box 2208  
Santa Fe, New Mexico 87504-2208  
By: WILLIAM F. CARR

\* \* \*

1 WHEREUPON, the following proceedings were had at  
2 8:21 a.m.:

3 EXAMINER STOGNER: At this time I'm going to call  
4 Case Number 13,081, which is the Application of David H.  
5 Arrington Oil and Gas, Inc., for compulsory pooling, Lea  
6 County, New Mexico.

7 Call for appearances.

8 MR. CARR: May it please the Examiner, my name is  
9 William F. Carr with the Santa Fe office of Holland and  
10 Hart, L.L.P. We represent David H. Arrington Oil and Gas,  
11 Inc., in this matter, and I have a statement.

12 EXAMINER STOGNER: Please continue.

13 MR. CARR: Mr. Examiner, the acreage that is the  
14 subject of this case in the west-half equivalent of  
15 Irregular Section 31, Township 15 South, Range 36 East, was  
16 the subject of Case 12,752. An order was entered in that  
17 case, Order 11,690, on November the 16th, 2001, pooling the  
18 acreage and granting the application of Mr. Arrington.

19 Mr. Arrington obtained an extension of the  
20 pooling order once from the Division, and there were  
21 questions about whether or not they were going to go  
22 forward with this well. They now have determined that they  
23 want to go forward and drill the Royal Stimulator 31 Well  
24 Number 2 to a depth sufficient to test the Morrow.

25 The case before you is identical to the case

1 presented in Case 12,752.

2 I have re-notified all affected interest owners  
3 pursuant to Division Rule, and I have an affidavit  
4 confirming that fact, and we would request that the record  
5 of Case 12,752 be incorporated into the record of this case  
6 and that we be permitted to admit the notice affidavit and  
7 that an order be entered based on that record.

8 EXAMINER STOGNER: Very well.

9 MR. CARR: And so with your permission, I would  
10 tender the notice affidavit.

11 EXAMINER STOGNER: Is that marked as an exhibit?

12 MR. CARR: No, sir, it isn't. I'll mark it --

13 EXAMINER STOGNER: That won't be necessary, we'll  
14 just -- this document, the affidavit, and --

15 MR. CARR: My affidavit with notice affidavits,  
16 the notice letter and a copy of the Application we sent to  
17 each of those parties.

18 EXAMINER STOGNER: This packet will be made a  
19 part of the record in this matter at this time.

20 Anything else in Case 13,081? There being none,  
21 then this case will be taken under advisement.

22 (Thereupon, these proceedings were concluded at  
23 8:23 a.m.)

24 \* \* \*

I do hereby certify that the foregoing is  
a complete record of the proceedings in  
the Examiner hearing of Case No. 13081.  
heard by me on 10 June 2003.

25  Examiner  
Oil Conservation Division

STEVEN T. BRENNER, CCR  
(505) 989-9317

## CERTIFICATE OF REPORTER

STATE OF NEW MEXICO    )  
                              )   ss.  
COUNTY OF SANTA FE    )

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Division was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL June 10th, 2003.



STEVEN T. BRENNER  
CCR No. 7

My commission expires: October 16th, 2006