

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:

APPLICATION OF BTA OIL PRODUCERS, LLC CASE NO. 15473
FOR AN ORDER DIRECTING CIMAREX ENERGY
COMPANY TO SHUT IN ITS OVERPRODUCED
OIL WELLS IN THE BERRY, BONE SPRING,
NORTH POOL, ASSESSING PRODUCTION PENALTIES
FOR THE OVERPRODUCTION, AND ORDERING
COMPLIANCE WITH THE DIVISION'S OIL
PRORATION RULES FOR THE BERRY, BONE
SPRING, NORTH POOL, LEA COUNTY, NEW MEXICO.

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

May 12, 2016

Santa Fe, New Mexico

BEFORE: PHILLIP GOETZE, CHIEF EXAMINER
DAVID K. BROOKS, LEGAL EXAMINER

This matter came on for hearing before the
New Mexico Oil Conservation Division, Phillip Goetze,
Chief Examiner, and David K. Brooks, Legal Examiner, on
Thursday, May 12, 2016, at the New Mexico Energy,
Minerals and Natural Resources Department, Wendell Chino
Building, 1220 South St. Francis Drive, Porter Hall,
Room 102, Santa Fe, New Mexico.

REPORTED BY: Mary C. Hankins, CCR, RPR
New Mexico CCR #20
Paul Baca Professional Court Reporters
500 4th Street, Northwest, Suite 105
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(505) 843-9241

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APPEARANCES

FOR APPLICANT NEW MEXICO OIL CONSERVATION DIVISION
COMPLIANCE AND ENFORCEMENT BUREAU:

KEITH W. HERRMANN, ESQ.
STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
COMPLIANCE AND ENFORCEMENT DIVISION
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FOR BTA OIL PRODUCERS, LLC:

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EXHIBITS OFFERED AND ADMITTED

Not Applicable

1 (8:21 a.m.)

2 EXAMINER GOETZE: And since you're still
3 available, Case Number 15473, application of BTA Oil
4 Producers, LLC for an order directing Cimarex Energy
5 Company to shut in its overproduced oil wells in the
6 Berry, Bone Spring, North Pool, assessing production
7 penalties for the overproduction, and ordering
8 compliance with the Division's oil proration rules
9 Berry, Bone Spring, North Pool, Lea County, New Mexico.

10 Call for appearances.

11 MS. KESSLER: Mr. Examiner, Jordan Kessler,
12 from Holland & Hart, on behalf of BTA Oil Producers,
13 LLC.

14 MR. HERRMANN: Keith Herrmann representing
15 the Compliance and Enforcement Bureau.

16 EXAMINER GOETZE: So where do we stand on
17 this? We have an email that went to Examiner Jones with
18 a request for an order for dismissal.

19 MS. KESSLER: That's correct, Mr. Examiner.
20 At this point all parties have entered into a settlement
21 agreement, and we've requested a dismissal.

22 EXAMINER GOETZE: And the State?

23 MR. HERRMANN: We do not oppose this. We
24 have reviewed the draft order that was submitted to
25 Examiner Jones, and --

1 EXAMINER GOETZE: Are we satisfied with its
2 content?

3 MR. HERRMANN: Yes. We are satisfied with
4 its content.

5 THE COURT: Very good. At this point,
6 since both parties seem to have reached a resolution,
7 let us go ahead and we'll take this case under
8 advisement.

9 And that will take care of you,
10 Mr. Herrmann.

11 MR. HERRMANN: Thank you.

12 So Case 15473 has been taken under
13 advisement.

14 (Case Number 15473 concludes, 8:22 a.m.)

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I do hereby certify that the foregoing is
a true and correct record of the proceedings in
the examiner hearing of Case No. 15473
heard by me on May 12 2016.
 , Examiner
Oil Conservation Division

1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

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4 CERTIFICATE OF COURT REPORTER

5 I, MARY C. HANKINS, Certified Court
6 Reporter, New Mexico Certified Court Reporter No. 20,
7 and Registered Professional Reporter, do hereby certify
8 that I reported the foregoing proceedings in
9 stenographic shorthand and that the foregoing pages are
10 a true and correct transcript of those proceedings that
11 were reduced to printed form by me to the best of my
12 ability.

13 I FURTHER CERTIFY that the Reporter's
14 Record of the proceedings truly and accurately reflects
15 the exhibits, if any, offered by the respective parties.

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

20 DATED at Albuquerque, New Mexico, on May
21 21, 2016.

22

23 MARY C. HANKINS, CCR, RPR
24 Certified Court Reporter
25 New Mexico CCR No. 20
Date of CCR Expiration: 12/31/2016
Paul Baca Professional Court Reporters