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REPORTER'S TRANSCRIPT OF PROCEEDINGS

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PRE-HEARING TRANSCRIPT

7

January 19, 2017

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Santa Fe, New Mexico

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BEFORE WILLIAM V JONES, CHIEF EXAMINER  
LEONARD LOWE, TECHNICAL EXAMINER  
DAVID K BROOKS, LEGAL EXAMINER

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This matter came on for hearing before the  
New Mexico Oil Conservation Division, William V Jones,  
Chief Examiner, Leonard Lowe, Technical Examiner, and  
David K Brooks, Legal Examiner, on Thursday, January  
19, 2017, 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

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REPORTED BY Mary C Hankins, CCR  
New Mexico CCR #20  
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Albuquerque, New Mexico 87102  
(505) 843-9241



1 (8:23 a.m.)

2 EXAMINER JONES: Okay. Let's go on the  
3 record this morning.

4 Good morning, everyone. I'm William V.  
5 Jones. And the attorney for the Examiner this morning  
6 is David K. Brooks, and assisting the Examiner this  
7 morning will be Leonard Lowe. He'll be asking technical  
8 questions, hopefully one or two. We'll ask him to ask  
9 some questions.

10 And this is Docket Number 4-17. This is  
11 January the 19th, 2017, believe it or not. It's a  
12 six-page docket. Let's go through the continuances and  
13 the dismissals.

14 On the first page, Case Number 15618 is  
15 continued to February the 2nd, 2017.

16 And could I ask the attorney, Jordan  
17 Kessler for Holland & Hart, to talk about the  
18 continuance?

19 MS. KESSLER: Sure. Hi. My name is a  
20 Jordan Kessler. I represent Holland & Hart in this case  
21 with WPX for the Rodeo Unit. This case has actually  
22 been continued, refiled and continued to February 16th.  
23 You'll be receiving another packet. And the reason for  
24 the continuation is because the State Land Office  
25 acreage that was originally taken out of the unit will



1 be put back into the unit, so we had to send everybody  
2 notice again and re-advertise this and continue the  
3 case So I really apologize for the inconvenience

4 The landman for WPX is on his way, Brennan  
5 West He will be here shortly for questions If you  
6 have any questions, please feel free to come up and ask  
7 me Thank you

8 EXAMINER BROOKS You've got a hand back  
9 there

10 MR DANIEL TSO Daniel Tso And I got a  
11 letter from Holland & Hart basically saying that the  
12 hearing was for 1/17, but in the back of the packet, it  
13 was for 1/19, and that basically put a lot of questions  
14 And just the day before yesterday, my brother signed for  
15 a letter that said the case was postponed to February  
16 2nd Then on the NMOCD Web site, it said it was  
17 postponed to the 9th However, I talked directly with  
18 Ms Florene Davidson, and we clarified it's for February  
19 16th So if you could hurry up and get something in the  
20 mail to all the allotment heirs within the Rodeo Unit,  
21 so they won't be coming up on February 2nd or February  
22 6th I'd like that to be clarified for everybody

23 MS KESSLER Thank you I appreciate that  
24 clarification And you're correct There's been a lot  
25 of confusion with the hearing date We are trying our



1 best to notify everybody and send out the certified  
2 letters I appreciate you saying something And there  
3 is a letter going out this week with the February 16th  
4 hearing date

5 MR DANIEL TSO For me, you know what, I  
6 have a lot of suspicion of the way it's being operated,  
7 so that's how come I'm wanting that clarification

8 MS KESSLER Mr Examiners, the  
9 application was refiled on Tuesday with the amended  
10 acreage description, so Florene should have the  
11 corrected February 16th hearing date, and it's styled as  
12 an amended application

13 EXAMINER BROOKS Tuesday was February  
14 [sic] the 17th, so that gives you your 30 days

15 MS KESSLER January 17th, correct

16 EXAMINER JONES It was re-advertised, and  
17 what was changed?

18 MS KESSLER There was some amended  
19 acreage The State Land Office added some acreage, so  
20 it will have an expanded boundary

21 EXAMINER JONES Oh, okay Okay

22 So did everyone hear that? The notice that  
23 you got is going to be complete except for the State  
24 Land Office added some state land acreage to the  
25 proposed unit



1 EXAMINER BROOKS Since it was refiled, it  
2 will have a new case number

3 EXAMINER JONES It will say  
4 "re-advertised "

5 EXAMINER BROOKS Oh, okay,  
6 "re-advertised " Okay

7 EXAMINER JONES It will have the same case  
8 number

9 EXAMINER BROOKS Same case number

10 EXAMINER JONES 15618

11 And Florene Davidson is the authority  
12 over -- she's our court clerk, so she keeps track of the  
13 continuances And Jordan, with Holland & Hart, is in  
14 touch with her, in contact with her

15 So we do appreciate you coming, and we hope  
16 you come to the case

17 EXAMINER BROOKS And we apologize for the  
18 confusion, not that that does any good

19 MR DANIEL TSO I guess the reason I'm  
20 saying it is because not every one of the allotment  
21 heirs have access to the Internet or even a cell phone  
22 Cell phone coverage is very limited out in that area

23 EXAMINER JONES Thank you, Daniel

24 Okay Let's continue on the docket on the  
25 continuances And on page 2, Case 15621 is continued to



1 March the 2nd Case 15604 is dismissed Case 15613 is  
2 dismissed

3 On page 3, Case 15614 is dismissed Case  
4 15615 is dismissed, and Case 15616 is continued to  
5 February the 2nd

6 And on page 4, Case 15586 is continued to  
7 February the 2nd Case 15573 is dismissed Case 15574  
8 is dismissed Case 15575 is dismissed

9 On page 5, all the cases are dismissed  
10 Those are Cases 15576, 15577, 15578 and 15579 Those  
11 cases are all dismissed

12 On page 5, those cases are dismissed  
13 Those cases are 15580 and 15581

14 That concludes the pre-hearing transcript  
15 of the docket -- for the docket

16 Any changes or -- or --

17 MR BRUCE Mr Examiner, on page 4, did  
18 you continue the first case, 15594?

19 EXAMINER JONES No

20 MR BRUCE I think Jordan and I had agreed  
21 to continue that for two weeks

22 EXAMINER JONES So that's continued to  
23 Ground Hog Day, February the 2nd That is Case 15594

24 Thank you, Mr Bruce

25 I didn't see it in the case file Sorry



1 about that

2 Okay We've got a short docket, then

3 (Pre-hearing proceedings conclude, 8 31

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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

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22 MARY C HANKINS, CCR  
23 Certified Court Reporter  
24 New Mexico CCR No 20  
25 Date of CCR Expiration 12/31/2017  
Paul Baca Professional Court Reporters