

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COMMISSIONER HEARING

ADOPTION OF AGENDA,
ADOPTION OF AUGUST 10, 2017 MEETING MINUTES,
DISMISSAL OF CASE NUMBER 15185,

AND

LITIGATION DISCUSSION

September 21, 2017

Santa Fe, New Mexico

BEFORE: DAVID R. CATANACH, CHAIRPERSON
EDWARD MARTIN, COMMISSIONER
DR. ROBERT S. BALCH, COMMISSIONER
GABRIEL WADE, ESQ.

This matter came on for hearing before the
New Mexico Oil Conservation Commission on Thursday,
September 21, 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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1 (9:10 a.m.)

2 CHAIRMAN CATANACH: All right. Good
3 morning. We'll call this meeting to order. This is a
4 meeting of the New Mexico Oil Conservation. My name is
5 David Catanach, chairman of the Commission. The time is
6 about ten after 9:00. Today's date is September 21st,
7 2017. This meeting is being conducted in Porter Hall
8 within the Wendell Chino State Building.

9 At this time I will take roll.

10 Commissioners, will you please introduce
11 yourself for the record.

12 COMMISSIONER MARTIN: I'm Ed Martin, the
13 State Land Office.

14 COMMISSIONER BALCH: Robert Balch, designee
15 of the Secretary of Energy and Minerals.

16 CHAIRMAN CATANACH: And today we have
17 Mr. Gabriel Wade who is Commission attorney for this
18 particular occasion.

19 Commissioners, in your packet, you should
20 have an agenda for today's meeting. Do you have any
21 changes -- I'm sorry. You can't change it. Do I hear a
22 motion to adopt the agenda?

23 COMMISSIONER MARTIN: I so move.

24 COMMISSIONER BALCH: I second it.

25 CHAIRMAN CATANACH: All in favor?

1 (Ayes are unanimous.)

2 CHAIRMAN CATANACH: The motion to adopt is
3 passed.

4 Also in your packet are the draft minutes
5 from the August 10th, 2017 Commission meeting.
6 Commissioners, do you have any changes to the minutes,
7 and if not, is there a motion and a second to adopt the
8 minutes?

9 COMMISSIONER BALCH: I've reviewed the
10 minutes, and I have no changes, and I move to adopt.

11 COMMISSIONER MARTIN: I have no changes
12 either, and I second.

13 CHAIRMAN CATANACH: All in favor?

14 (Ayes are unanimous.)

15 CHAIRMAN CATANACH: The motion to adopt to
16 the August 10th, 2017 Commission meeting is passed.

17 At this time I will make one announcement.
18 On today's docket is Case Number 15185, which is the
19 application of Ard Energy, LLC to re-open Case Number
20 15185 pursuant to NMAC 19.15.13.13 and the provisions of
21 Order Number R-13913-B to determine the reasonable well
22 costs for the drilling of the Ivar The Boneless Federal
23 Well #1H in Lea County, New Mexico.

24 At the request of the Applicant, Case
25 Number 15185 will be dismissed. And I will tell you

1 that I did sign that dismissal order this morning prior
2 to the hearing, so that's taken care of.

3 COMMISSIONER BALCH: Too bad. I was going
4 to ask somebody how they came up with that name.

5 CHAIRMAN CATANACH: I'm sure you were.

6 (The proceedings conclude, 9:12 a.m.)

7 (11:26 a.m.)

8 CHAIRMAN CATANACH: Is there any other
9 business on today's agenda?

10 MR. BRANCARD: No. Not much to report on
11 the litigation front. We just received the brief in the
12 LAS [phonetic] appeal. It just came in this week. The
13 briefing schedule that they requested is rather liberal,
14 so we have more than two months to respond to it. And
15 then in November, we have the oral argument and whole
16 thing in the case. Those are the only matters that are
17 heading for a decision.

18 CHAIRMAN CATANACH: And Nearburg-COG?

19 MR. BRANCARD: Nearburg is stayed.

20 CHAIRMAN CATANACH: Yeah. I've heard
21 rumored that that's settled.

22 MR. BRANCARD: Okay.

23 CHAIRMAN CATANACH: But that's just to
24 refresh your memory. I haven't verified it.

25 MR. BRANCARD: They have until sometime in

1 October to let the Court know.

2 CHAIRMAN CATANACH: Okay. All right.

3 Thank you, everybody. This meeting is adjourned. See
4 you on October 4th.

5 (The proceedings conclude, 11:27 a.m.)

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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.

20

21

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

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