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

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

PREHEARING

BEFORE: DAVID K. BROOKS, Legal Examiner  
TERRY G. WARNELL, Technical Examiner

August 21, 2008

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID K. BROOKS, Legal Examiner, TERRY G. WARNELL, Technical Examiner, on Thursday, August 21, 2008, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint Francis Drive, Room 102, Santa Fe, New Mexico.

REPORTED BY: JOYCE D. CALVERT, P-03  
Paul Baca Court Reporters  
500 Fourth Street, NW, Suite 105  
Albuquerque, New Mexico 87102

1 MR. BROOKS: Good morning, ladies and gentlemen. We  
2 will go on the record this morning in Docket No. 28-08. Today  
3 is August 21st, 2008.

4 I'm David Brooks, presiding Hearing Examiner, and I  
5 will begin by calling the continuances and dismissals.

6 \* \* \*

7 MR. BROOKS: Beginning on page 2, Case No. 14164 is  
8 continued to September 18th.

9 Case No. 14163 is continued to September the 4th.

10 MR. ROBERTS: Mr. Examiner, that's the application of  
11 Merrion Oil and Gas.

12 MR. BROOKS: That's correct.

13 MR. ROBERTS: We're here.

14 MR. BROOKS: Yeah. Case No. 14162 -- well, I'll take  
15 that up later. Let me go on through the continuances and  
16 dismissals.

17 Case No. 14165 -- this is on page 3 -- is continued  
18 to October the 2nd.

19 Case No. 14024 is continued to September the 4th.

20 On page number 4, Case No. 14148 is continued to  
21 September the 4th.

22 Case No. 14155 is continued to September the 4th.

23 Case No. 14166 is dismissed.

24 On page 5, Case No. 14168 is continued to September  
25 the 4th.

1 Case No. 14170 is continued to September the 4th.  
 2 On page 6, Case No. 14173 is continued to September  
 3 the 18th.

4 And I believe that's all. Are there any other  
 5 continuances or dismissals?

6 MR. BRUCE: Mr. Examiner, at the bottom of page 4,  
 7 could you please continue the last case, 14167, to September  
 8 the 4th, please?

9 MR. BROOKS: Case No. 14167 will be continued to  
 10 September 4th.

11 Any other continuances or dismissals?

12 Okay. That Merrion Case No. 14163, you have two  
 13 Merrion cases, 14162 and 14163, right?

14 MR. ROBERTS: Yes. They were originally scheduled  
 15 for the August 7th docket and we asked that they be continued  
 16 until today.

17 MR. BROOKS: Yeah. Well, I don't see any point in  
 18 making you come back. This is uncontested, right?

19 MR. ROBERTS: Well, we don't know of any opposition,  
 20 but these are cases where we've got 50 and more unleased  
 21 mineral interest owners who we don't know how they'll choose to  
 22 act in this case or both cases.

23 MR. BROOKS: Okay. Well, I will go ahead and hear  
 24 them if there's no opposition.

25

\* \* \*

I hereby certify that the  
 complete record  
 has been heard by me on  
 8-21-08

**REPORTER'S CERTIFICATE**

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2  
3 I, JOYCE D. CALVERT, Provisional Court Reporter for  
4 the State of New Mexico, do hereby certify that I reported the  
5 foregoing proceedings in stenographic shorthand and that the  
6 foregoing pages are a true and correct transcript of those  
7 proceedings and was reduced to printed form under my direct  
8 supervision.

9 I FURTHER CERTIFY that I am neither employed by nor  
10 related to any of the parties or attorneys in this case and  
11 that I have no interest in the final disposition of this  
12 proceeding.

13 DATED this 21st of August, 2008.  
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20 JOYCE D. CALVERT  
21 New Mexico P-03  
22 License Expires: 7/31/09  
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STATE OF NEW MEXICO        )  
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COUNTY OF BERNALILLO        )

I, JOYCE D. CALVERT, a New Mexico Provisional Reporter, working under the direction and direct supervision of Paul Baca, New Mexico CCR License Number 112, hereby certify that I reported the attached proceedings; that pages numbered 1-3 inclusive, are a true and correct transcript of my stenographic notes. On the date I reported these proceedings, I was the holder of Provisional License Number P-03.

Dated at Albuquerque, New Mexico, 21st day of August, 2008.



Joyce D. Calvert  
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