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

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PRE-HEARING TRANSCRIPT

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

October 16, 2008

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID K. BROOKS, Legal Examiner, RICHARD EZEANYIM, Technical Examiner, and TERRY G. WARNELL, Technical Examiner, on Thursday, October 16, 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.  
2 This is Docket No. 35-08, Oil Conservation Division. I'm David  
3 Brooks, presiding Examiner. Terry Warnell is assisting as  
4 Technical Examiner, and the Chief Engineer had indicated he's  
5 going to participate, and he is here this morning.

6 Let's first call the continuances and dismissals,  
7 then we're going to take things out of order. So we'll begin  
8 with the continuance and dismissals, as usual.

9 On the first page, Case No. 14189 is continued to  
10 October 30th.

11 On the third page, Case No. 14024 is dismissed.

12 Case No. 14147 is continued to November the 13th.

13 Case No. 14148 is continued to November the 13th.

14 On the fourth page, Case No. 14191 is dismissed.

15 On the fifth page, Case No. 14192 is continued to  
16 November the 13th; however, there is a motion hearing in that  
17 case this morning.

18 On the sixth page, Case No. 14198 is dismissed.

19 The presumed order of proceeding will be as  
20 follows -- and let me know if there are any objections or  
21 preferences to do things otherwise.

22 We will begin with the motion hearing in Case  
23 No. 14192. Following that hearing, we will -- oh, I forgot to  
24 ask if there any continuances or dismissals.

25 Case No. 14190; is there anyone here on that case?

1 We call 14190. It's the Application of -- I'm sorry, no, not  
2 14190.

3 I'm calling Case No. 14162, the Application for  
4 Merrion Oil and Gas Corp. for Compulsory Pooling, San Juan  
5 County, New Mexico. Is there any appearance in that case?

6 Okay, we had gotten a motion for continuance in that  
7 case to November 13th, so that case will be continued to  
8 November 13th.

9 Any other continuances or dismissals?

10 Okay, we will begin this morning with Case No. 14192.  
11 That will be followed by Case No. 14193 and the following cases  
12 to the end of the docket of Case No. 14197.

13 Then we will go back and start at the beginning of  
14 the docket with Case No. 14129, and then we will take Case  
15 No. 14190. And we will conclude the evening with Case  
16 No. 14186, unless there are any objections to that order of  
17 proceeding.

18 Mr. Feldewert?

19 MR. FELDEWERT: Just a question, Mr. Examiner. Since  
20 you're taking 14186 last, is it safe to assume that we can be  
21 dismissed until 1 o'clock?

22 MR. BROOKS: Well, let me ask the people who are here  
23 involved. I understood one of the Division's cases was going  
24 to be particularly long, and I thought it was 14186. But  
25 there's also 14129 that's also contested, so which one is the

1 longer one of the two?

2 MS. ALTOMARE: My understanding is that it was ours  
3 that was the longer one.

4 MR. BROOKS: That's which one?

5 MS. ALTOMARE: 14186.

6 MR. BROOKS: That was my understanding, also. How  
7 long will it take, do you think?

8 MR. FELDEWERT: 14186?

9 MR. BROOKS: Yeah.

10 MR. FELDEWERT: Mr. Examiner, I looked at the  
11 pre-hearing statement and they have, it looks like three hours  
12 of testimony designated.

13 MR. BROOKS: That's from both sides, or from one  
14 side?

15 MS. ALTOMARE: I believe for both sides.

16 MR. FELDEWERT: So I guess --

17 MR. BROOKS: Okay. We'll set that one over to 1:15,  
18 then.

19 MR. FELDEWERT: Okay.

20 MR. BROOKS: And there's no reason you all should sit  
21 here the whole time, so you can come back at 1:15.

22 Okay. This Targa case -- yes? Did somebody have  
23 something to say over here?

24 The Division people that are not going to be needed  
25 until Case No. 14129 may be excused at this time, and I will

1 come -- if you're going to be upstairs, I can come upstairs and  
2 get you when we're ready for you, because that's going to be  
3 maybe an hour at least.

4 Okay.

5 \* \* \*

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14 I do hereby certify that the foregoing is  
15 a true and correct copy of the recording as  
16 made by me on this date.  
17 \_\_\_\_\_, Reporter  
18 Oil Conservation Division

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**REPORTER'S CERTIFICATE**

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

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

DATED this 16th of October, 2008.



JOYCE D. CALVERT  
New Mexico P-03  
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 1-5 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, 16th day of October, 2008.



Joyce D. Calvert  
Provisional License #P-03  
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