

1 STATE OF NEW MEXICO
2 ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
3 OIL CONSERVATION DIVISION
4

5 IN THE MATTER OF THE HEARING CALLED
6 BY THE OIL CONSERVATION DIVISION FOR **ORIGINAL**
7 THE PURPOSE OF CONSIDERING:

8 APPLICATION OF THE NEW MEXICO OIL
9 CONSERVATION DIVISION FOR A
10 COMPLIANCE ORDER AGAINST C & D
11 MANAGEMENT COMPANY D/B/A FREEDOM
12 VENTURES COMPANY CASE NO. 14055

13 REPORTER'S TRANSCRIPT OF PROCEEDINGS
14 Hearing
15 November 4, 2009
16 9:58 a.m.
17 1220 South St. Francis Drive, Room 102
18 Santa Fe, New Mexico 87504

19 BEFORE: MARK E. FESMIRE, HEARING EXAMINER
20 JAMI BAILEY, COMMISSIONER
21 WILLIAM C. OLSON, COMMISSIONER
22 MARK A. SMITH, ASSISTANT GENERAL COUNSEL

23 REPORTED BY: CONNIE JURADO, RPR, NM CCR #254
24 Paul Baca Professional Court Reporters
25 500 Fourth Street NW, Suite 105
Albuquerque, New Mexico 87102

RECEIVED OCD
2009 NOV 17 A 11:37

1 MR. FESMIRE: The next order of business
2 before the Commission is Case Number 14055, the Application
3 of the New Mexico Oil Conservation Division for a Compliance
4 Order against C & D Management Company doing business as
5 Freedom Ventures. I understand that counsel in drafting the
6 order has come across some issues that they would like to
7 discuss with the commissioners, and that we would need to go
8 into executive session to do that; is that correct, counsel?

9 MR. SMITH: Yes.

10 MR. FESMIRE: At this time, the chair would
11 entertain a motion to go into executive session to discuss
12 Case Number 14055.

13 MS. BAILEY: I so move.

14 MR. OLSON: Second.

15 MR. FESMIRE: All of those in favor signify
16 by saying aye.

17 THE COMMISSIONERS: Aye.

18 MR. FESMIRE: The record should reflect that
19 at this time, we will go into executive session to discuss
20 only Case Number 14055.

21 (The Commission went into executive session at 9:59 a.m.)

22 MR. FESMIRE: Let's go back on the record.

23 The record should reflect that the New Mexico Oil
24 Conversation Commission came out of executive session at
25 11:50, and during that executive session, the commissioners

1 and counsel discussed Case Number 14055. The items that we
2 were concerned about will require a redrafting of the order,
3 so we're going to continue Case Number 14055 until the next
4 regularly scheduled Commission meeting, which I believe is
5 December 16, so that case is continued until December 16.
6 During the executive session, nothing was discussed except
7 that case.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

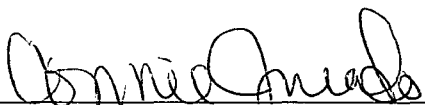
25

REPORTER'S CERTIFICATE

I, CONNIE JURADO, do hereby certify that I reported the foregoing case in stenographic shorthand and transcribed, or had the same transcribed under my supervision and direction, the foregoing matter and that the same is a true and correct record of the proceedings had at the time and place.

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 whatsoever in the final disposition of this case in any court.

WITNESS MY HAND this 4th day of November, 2009.



Connie Jurado, CCR, RPR
New Mexico CCR No. 254
Expires: December 31, 2009