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

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS
COMMISSION HEARING
DOCKET NO. 9-10

March 11, 2010
Santa Fe, New Mexico

BEFORE: MARK E. FESMIRE: Commission Chair
WILLIAM C. OLSON: Commissioner

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This matter came for hearing before the New Mexico Oil Conservation Commission on March 11, 2010, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South St. Francis Drive, Room 102, Santa Fe, New Mexico.

REPORTED BY: PEGGY A. SEDILLO, NM CCR No. 88
Paul Baca Court Reporters
500 Fourth Street NW, Suite 105
Albuquerque, New Mexico 87102

A P P E A R A N C E S

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For Fasken Oil & Ranch:

MICHAEL H. FELDERWERT, ESQ.
OCEAN MUNDS-DRY, ESQ.
Holland & Hart
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Santa Fe, NM 87504-2208

For Intrepid Potash:

JOSEPH E. MANGES, ESQ.
Comeau, Maldegen, Templeman
& Indall, LLP
141 East Palace Avenue
Santa Fe, NM 87504-0669

LINNEA BROWN, ESQ.
Holme, Roberts & Owen
1700 Lincoln St., Suite 4100
Denver, CO 80203-454

1 CHAIRMAN FESMIRE: At this time we'll go on the
2 record. The record should reflect that this is the
3 Thursday, March 11, 2010, regularly scheduled meeting of
4 the New Mexico Oil Conservation Commission.

5 The record should also reflect that the
6 Commission has a quorum in that Commissioner Olson and
7 Commissioner Fesmire are present.

8 But the record should also reflect that
9 Commissioner Bailey was not able to make the meeting
10 today, she is ill. But like I said, we do have a quorum,
11 so we're going to go ahead and continue with the meeting.

12 The first order of business before the meeting
13 today is the adoption of the minutes of the January 14,
14 2010 Commission meeting. Commissioner Olson, have you had
15 a chance to review those minutes?

16 COMMISSIONER OLSON: Yes, I have. And I believe
17 that they accurately reflect the meeting and I move that
18 they be approved.

19 CHAIRMAN FESMIRE: The Chair will second that
20 motion. All those in favor signify by saying "aye."

21 COMMISSIONER OLSON: Aye.

22 CHAIRMAN FESMIRE: Aye. The record should
23 reflect that the minutes were adopted by the quorum of the
24 Commission present, signed by the Chairman, and conveyed
25 to the secretary for the recording.

1 The next order of business before the Commission
2 is Case No. ~~14326~~. It's the Application of the New Mexico
3 Oil Conservation Division for a Compliance Order against
4 Nacogdoches Oil Gas, Inc. That order of business has been
5 continued to the April 8, 2010 Commission meeting.

6 The next order of business before the Commission
7 is Case No. 14116. It's the De Novo Application of Fasken
8 Oil and Gas for an Order authorizing the drilling of an
9 additional well on an unorthodox location in the Potash
10 Area of Lea County, New Mexico. Are the attorneys in that
11 case present? Would you please identify yourself for the
12 record?

13 MR. FELDEWERT: If it please the Commission,
14 Michael Feldewert and Ocean Munds-Dry on behalf of Fasken
15 Oil and Ranch, the Applicant.

16 CHAIRMAN FESMIRE: Okay.

17 MR. MANGES: May it please the Commission,
18 Joseph Manges, and with me is Linnea Brown. She's
19 attending by phone for Intrepid Potash. Thank you.

20 CHAIRMAN FESMIRE: Okay. There are actually two
21 pieces of business that we have to address in this case.
22 I want to say the first is a scheduling order, but I think
23 we ought defer that to actually the second order of
24 business.

25 One of the things that I would like to address

1 STATE OF NEW MEXICO)
) ss.
2 COUNTY OF BERNALILLO)

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REPORTER'S CERTIFICATE

I, PEGGY A. SEDILLO, Certified Court Reporter of the firm Paul Baca Professional Court Reporters do hereby certify that the foregoing transcript is a complete and accurate record of said proceedings as the same were recorded by me or under my supervision.

Dated at Albuquerque, New Mexico this 15th day of March, 2010.


PEGGY A. SEDILLO, CCR NO. 88
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