

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

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:

APPLICATION OF MCELVAIN OIL & GAS
PROPERTIES FOR COMPULSORY POOLING,
SAN JUAN COUNTY, NEW MEXICO

CASE NO. 14471

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

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

June 10, 2010

Santa Fe, New Mexico

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This matter came on for hearing before the New Mexico Oil Conservation Division, DAVID K. BROOKS, Presiding Examiner, and TERRY G. WARNELL, Technical Examiner, on Thursday, June 10, 2010, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South St. Francis Drive, Room 102, Santa Fe, New Mexico.

REPORTED BY: Jacqueline R. Lujan, CCR #91
Paul Baca Professional Court Reporters
500 Fourth Street, N.W., Suite 105
Albuquerque, NM 87103 505-843-9241

A P P E A R A N C E S

FOR THE APPLICANT:

OCEAN MUNDS-DRY, ESQ.
HOLLAND & HART
110 North Guadalupe, Suite 1
Santa Fe, New Mexico 87501
(505) 988-4421

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1 EXAMINER BROOKS: At this time I will call
2 Case 14471, the application of McElvain Oil & Gas
3 Properties for compulsory pooling, San Juan County, New
4 Mexico. Call for appearances.

5 MS. MUNDS-DRY: Mr. Brooks --

6 MR. LARSON: I have one more Cimarex case.

7 EXAMINER BROOKS: Okay. You have 14482.

8 MS. MUNDS-DRY: Mr. Larson is already
9 prepared, so I don't mind if you take that case before --

10 EXAMINER BROOKS: We've already called the
11 case. You may stay seated at counsel table, if you don't
12 object to be seated next to the attorney you opposed in a
13 case earlier this morning.

14 MR. LARSON: I feel honored.

15 EXAMINER BROOKS: Okay. You may proceed.

16 MS. MUNDS-DRY: Mr. Brooks, Ocean
17 Munds-Dry with the law firm of Holland & Hart here
18 representing McElvain Oil & Gas this morning.

19 This case was heard a month ago, and as you
20 may recall, you requested that we re-publish the legal
21 notice in the newspaper to reflect the interest owners
22 who are unlocateable.

23 EXAMINER BROOKS: Yes.

24 MS. MUNDS-DRY: I will submit for you here
25 today what's been marked as McElvain Exhibit Number 2,

1 which is the affidavit of publication. And as you can
2 see, all of the parties who we did not have addresses for
3 or who otherwise are unlocateable, their names have been
4 published in the newspaper. So with that, we would
5 request the admission of Exhibit Number 2 into evidence.

6 EXAMINER BROOKS: Exhibit Number 2 is
7 admitted.

8 If there's nothing further, then Case Number
9 14471 will be taken under advisement.

10 (Exhibit 2 was admitted.)

11 MS. MUNDS-DRY: Thank you.

12 * * *

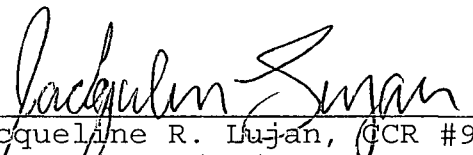
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17 I do hereby certify that the foregoing is
18 a complete record of the proceedings in
the Examiner hearing of Case No. 14471,
19 heard by me on June 10, 2010.
20 *David K. Brooks* Examiner
Oil Conservation Division
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REPORTER'S CERTIFICATE

I, JACQUELINE R. LUJAN, New Mexico CCR #91, DO
HEREBY CERTIFY that on June 10, 2010, proceedings in the
above captioned case were taken before me and that I did
report in stenographic shorthand the proceedings set
forth herein, and the foregoing pages are a true and
correct transcription to the best of my ability.

I FURTHER CERTIFY that I am neither employed by
nor related to nor contracted with 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 23rd day of June, 2010.


Jacqueline R. Lujan, CCR #91
Expires: 12/31/2010