

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

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

FIFTH JUDICIAL DISTRICT COURT )  
COUNTY OF CHAVES )  
STATE OF NEW MEXICO )

CV 97-29

READ AND STEVENS, INC., and MATADOR )  
PETROLEUM CORPORATION, )

Petitioners, )

vs. )

OIL CONSERVATION COMMISSION OF THE STATE )  
OF NEW MEXICO and UMC PETROLEUM )  
CORPORATION, )

Respondent. )

ORIGINAL

Oil Conservation Division

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COMMISSION HEARING

BEFORE: LORI WROTENBERY, ACTING CHAIRMAN  
WILLIAM J. LEMAY, COMMISSIONER  
JAMI BAILEY, COMMISSIONER

February 26th, 1998  
Santa Fe, New Mexico

This matter came on for hearing before the Oil Conservation Commission, LORI WROTENBERY, Acting Chairman, on Thursday, February 26th, 1998, at the New Mexico Energy, Minerals and Natural Resources Department, Porter Hall, 2040 South Pacheco, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

\* \* \*

STEVEN T. BRENNER, CCR  
(505) 989-9317

## I N D E X

February 26th, 1998  
Commission Hearing  
CASE NO. CV-97-29

## PAGE

REPORTER'S CERTIFICATE

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## A P P E A R A N C E S

FOR THE COMMISSION:

LYN S. HEBERT  
Deputy General Counsel  
Energy, Minerals and Natural Resources Department  
2040 South Pacheco  
Santa Fe, New Mexico 87505

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1           WHEREUPON, the following proceedings were had at  
2   9:35 a.m.:

3           MS. WROTENBERY: And then we have one other case  
4   that we need to deliberate, although I understand we need  
5   to close the meeting to do that.

6           Before we do that, I do have one question to ask  
7   about the next scheduled meeting of the Commission. I know  
8   we had one on the schedule for March 12th, although at this  
9   point I don't believe we have any items on the agenda or  
10   the docket for that particular meeting. The cases that  
11   have been postponed from this meeting have been postponed  
12   till the April 9th meeting of the Commission.

13           What is the pleasure of the Commission? Should  
14   we go ahead and just announce that that meeting has been  
15   canceled, or should we reserve that date in case something  
16   comes up? What's the usual practice here?

17           MR. LEMAY: Madame Chairman, I think the usual  
18   practice sometimes could stand some improvement. I know in  
19   the past I've asked Florene, Are there any cases at the  
20   last minute? We would call Commissioners that were  
21   traveling here, and then we wouldn't have the meeting.

22           But if we know ahead of time, like --

23           MS. DAVIDSON: We -- past advertising deadline  
24   for that --

25           MR. LEMAY: I think that's the key, the

1 advertising deadline. Many times we don't have this -- one  
2 Commission hearing following another so quickly, so that at  
3 the meeting we know there's no cases that have been  
4 proposed, so we don't have the opportunity to cancel a  
5 meeting. But I think it's probably appropriate to cancel  
6 the March meeting, because we don't have any cases.

7 MS. WROTENBERY: Okay, so -- That seems to make  
8 sense. And of course, we do have provisions for emergency  
9 meetings if something comes up, or special meetings if  
10 something out of the ordinary comes up that needs  
11 attention, we can rely on those procedures. Okay.

12 MR. LEMAY: I move we close the -- or we cancel  
13 the March meeting, Madame Chairman.

14 COMMISSIONER BAILEY: I second.

15 MS. WROTENBERY: Okay, all in favor say aye.

16 MR. LEMAY: Aye.

17 COMMISSIONER BAILEY: Aye.

18 MS. WROTENBERY: Aye.

19 Okay, so we'll meet again next on April 9th,  
20 1998.

21 Okay. Then I think that takes us to the last  
22 item on the agenda, and I'll entertain a motion to close  
23 this meeting in order to deliberate the Read and Stevens  
24 case.

25 COMMISSIONER BAILEY: I so move.

1 MR. LEMAY: I second.

2 MS. WROTENBERY: All in favor say aye.

3 COMMISSIONER BAILEY: Aye.

4 MR. LEMAY: Aye.

5 MS. WROTENBERY: Okay. In that case, we'll ask  
6 the people in the audience to please step out of the room.  
7 And we will be coming back into open session to announce  
8 the decision of the Commission in this matter.

9 (Off the record at 9:38 a.m.)

10 (The following proceedings had at 10:00 a.m.)

11 MS. WROTENBERY: Okay, we'll go back into open  
12 session at this particular point, and I will be sitting out  
13 on the action on this particular case because I didn't hear  
14 it, have not reviewed the record.

15 So I think I'll turn the matter over to Bill, if  
16 that would be okay with you, to take action.

17 MR. LEMAY: Madame Chairman, I move that the  
18 Commission accept the new findings as revised and  
19 incorporated into a new order to be signed by all three  
20 Commissioners on this particular case, but that it be  
21 signed by just the two Commissioners, which would be  
22 Commissioner Bailey and myself, and that be the revised  
23 order.

24 COMMISSIONER BAILEY: It's my intent to sign such  
25 a revised order. I agree with all changes that we have

1 discussed as part of the findings.

2 MR. LEMAY: And it is also my intent to sign a  
3 revised order incorporating the new findings as approved  
4 under this new draft, and I so move.

5 COMMISSIONER BAILEY: I second.

6 MR. LEMAY: All in favor signify by saying aye.

7 COMMISSIONER BAILEY: Aye.

8 MR. LEMAY: Aye.

9 Opposed, nay?

10 Thank you, Madame Chair.

11 MS. WROTENBERY: Okay, are there any other  
12 matters before the Commission this morning?

13 Any other comments anybody would like to make?

14 Okay, with that, then, we will adjourn this  
15 meeting of the Commission, and I thank everybody very much.

16 (Thereupon, these proceedings were concluded at  
17 10:02 a.m.)

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CERTIFICATE OF REPORTER

STATE OF NEW MEXICO    )  
                                  )   ss.  
COUNTY OF SANTA FE    )

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Commission was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL February 28th, 1998.




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STEVEN T. BRENNER  
CCR No. 7

My commission expires: October 14, 1998