

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:) CASE NO. 12,135
)
APPLICATION OF MARATHON OIL COMPANY)
FOR SURFACE COMMINGLING, OFF-LEASE)
MEASUREMENT AND STORAGE, EDDY COUNTY,)
NEW MEXICO) ORIGINAL
)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: MICHAEL E. STOGNER, Hearing Examiner

April 15, 1999

Santa Fe, New Mexico

This matter came on for hearing before the New Mexico Oil Conservation Division, MICHAEL E. STOGNER, Hearing Examiner, on Thursday, April 15th, 1999, 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.

* * *

99 APR 29 AM 8:34
OIL CONSERVATION DIV

I N D E X

April 15th, 1999
 Examiner Hearing
 CASE NO. 12,135

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E X H I B I T

Applicant's	Identified	Admitted
Certificate of notice	4	-

* * *

A P P E A R A N C E S

FOR THE DIVISION:

RAND L. CARROLL
 Attorney at Law
 Legal Counsel to the Division
 2040 South Pacheco
 Santa Fe, New Mexico 87505

FOR THE APPLICANT:

KELLAHIN & KELLAHIN
 117 N. Guadalupe
 P.O. Box 2265
 Santa Fe, New Mexico 87504-2265
 By: W. THOMAS KELLAHIN

* * *

1 WHEREUPON, the following proceedings were had at
2 8:50 a.m.:

3 EXAMINER STOGNER: At this time I'll Case Number
4 12,135.

5 MR. CARROLL: Application of Marathon Oil Company
6 for surface commingling, off-lease measurement and storage,
7 Eddy County, New Mexico.

8 EXAMINER STOGNER: Call for appearances.

9 MR. KELLAHIN: Mr. Examiner, I'm Tom Kellahin of
10 the Santa Fe law firm of Kellahin and Kellahin, appearing
11 on behalf of the Applicant.

12 EXAMINER STOGNER: Any other appearances?

13 Do you have any witnesses or --

14 MR. KELLAHIN: No, sir.

15 Mr. Examiner, this case was heard by Examiner
16 Catanach on March 18th. The petroleum engineer for
17 Marathon presented his project request, and this was a
18 request for surface commingling, offlease measurement and
19 storage.

20 As a result of that evidentiary hearing, and as
21 part of Marathon's Application, they had sought to add and
22 subtract existing or future wells from the facility. And
23 in order to allow that to be done without coming back to
24 subsequent hearings every time a change is made, we asked
25 Examiner Catanach for authority to include, in the order he

1 is to write, such approval.

2 In reviewing that case with him on March 18th, he
3 asked us to send notice again to all the interest owners
4 that share in that production, to advise them specifically
5 of the fact that we were seeking this additional
6 administrative procedure to expand and contract the
7 facility.

8 We have done that, and that's why we're here
9 today, to deliver to you our certificate of notice that
10 pursuant to Division notice rules we advertised and advised
11 all the parties of our modified request. And I'm here to
12 tell you today that I am aware of no objection, and I'm
13 here to submit the certificate of notice.

14 EXAMINER STOGNER: Is there anything else at this
15 time, Mr. Kellahin?

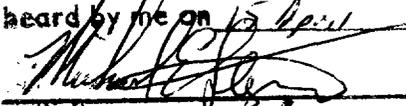
16 MR. KELLAHIN: No, sir.

17 EXAMINER STOGNER: Then Case number 12,135 will
18 be taken under advisement at this time.

19 (Thereupon, these proceedings were concluded at
20 8:53 a.m.)

21 * * *

22 I do hereby certify that the foregoing is
23 a complete record of the proceedings in
24 the Examiner hearing of Case No. 12135,
heard by me on 15 April 1999.

25  , Examiner
Oil Conservation Division

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 Division 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 April 15th, 1999.



 STEVEN T. BRENNER
 CCR No. 7

My commission expires: October 14, 2002