

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

4 IN THE MATTER OF THE HEARING)
5 CALLED BY THE OIL CONSERVATION)
6 DIVISION FOR THE PURPOSE OF)
7 CONSIDERING:) CASE NO. 10781

8 APPLICATION OF MARATHON OIL COMPANY
9 -----

10 REPORTER'S TRANSCRIPT OF PROCEEDINGS

11 EXAMINER HEARING

12 BEFORE: David R. Catanach, Hearing Examiner

13 October 7, 1993

14 Santa Fe, New Mexico

15 This matter came on for hearing before the
16 Oil Conservation Division on October 7, 1993, at
17 Morgan Hall, State Land Office Building, 310 Old Santa
18 Fe Trail, Santa Fe, New Mexico, before Deborah O'Bine,
19 RPR, Certified Court Reporter No. 63, for the State of
20 New Mexico.

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ORIGINAL

I N D E X

October 7, 1993
 Examiner Hearing
 CASE NO. 10781

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A P P E A R A N C E S

FOR THE DIVISION: ROBERT G. STOVALL, ESQ.
 General Counsel
 Oil Conservation Commission
 State Land Office Building
 310 Old Santa Fe Trail
 Santa Fe, New Mexico 87501

FOR THE APPLICANT: KELLAHIN AND KELLAHIN
 117 N. Guadalupe
 Santa Fe, New Mexico
 BY: W. THOMAS KELLAHIN, ESQ.

FOR RODNEY
 PRODUCTION COMPANY: CAMPBELL, CARR, BERGE &
 SHERIDAN, P.A.
 P.O. Box 2208
 Santa Fe, New Mexico 87504
 BY: WILLIAM F. CARR, ESQ.

1 EXAMINER CATANACH: At this time we'll call
2 case -- we're going to go a little bit out of order --
3 we'll call Case 10781.

4 MR. STOVALL: Application of Marathon Oil
5 Company for an unorthodox coal gas well location, San
6 Juan County, New Mexico.

7 EXAMINER CATANACH: Are there appearances
8 in this case?

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

13 MR. CARR: May it please the Examiner, my
14 name is William F. Carr. I represent Rodney
15 Production Company in this matter. We entered an
16 appearance, and I'd like to advise the examiner that
17 we do not oppose the application.

18 EXAMINER CATANACH: Any additional
19 appearances?

20 MR. STOVALL: Mr. Examiner, just for the
21 record, this case is being reopened because of the,
22 say, deficiencies in the notice in the case. There
23 were certain interests that were not given notice, and
24 they originally indicated opposition to the
25 application. They've subsequently been notified, the

1 case is reopened, and I think Mr. Carr is representing
2 those interests that no longer oppose.

3 EXAMINER CATANACH: Is that a fair
4 statement, Mr. Carr?

5 MR. KELLAHIN: The answer is yes.

6 MR. CARR: Yes.

7 MR. KELLAHIN: Mr. Examiner, we have marked
8 as Exhibits 8 and 9 the supplemental certificates of
9 mailing that confirm the notification of all working
10 interest owners in Section 20, which is the acreage
11 south of 17. The east half of 17 is the spacing unit
12 for the Schwerdtfeger 17 No. 2 well.

13 With the submission of those certificates,
14 we believe all parties have been adequately notified.
15 This case was on Mr. Stogner's docket. And the
16 substantial evidence to approve the application has
17 already been submitted in the record.

18 With that, we propose those two additional
19 exhibits be admitted into the record and the case be
20 taken under advisement.

21 EXAMINER CATANACH: Mr. Kellahin, does this
22 additional notice, is that -- as per the 21-day notice
23 advanced, does that give them enough time, the 21
24 days?

25 MR. KELLAHIN: Yes, sir. Attached to one

1 of the certificates is the petroleum landman
2 certificate of title search of working interest owners
3 in Section 20. There is a notification on August 31
4 for a certain portion of those parties. And then
5 there's a supplemental notification on September 15,
6 which is more than 20 days prior to the hearing.

7 EXAMINER CATANACH: Okay. Anything else in
8 this case? There being nothing further, Case 10781
9 will be taken under advisement.

CERTIFICATE OF REPORTER

STATE OF NEW MEXICO)

) ss.

COUNTY OF SANTA FE)

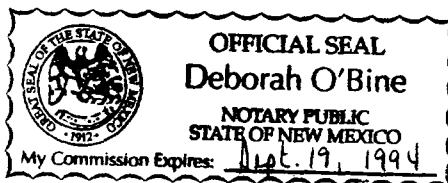
I, Deborah O'Bine, Certified Shorthand Reporter and Notary Public, HEREBY CERTIFY that I caused my notes to be transcribed under my personal supervision, and that the foregoing transcript is a true and accurate record of the proceedings of said hearing.

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, October 16, 1993.

Deborah O'Bine

DEBORAH O'BINE
CCR No. 63



I do hereby certify that the foregoing is a complete record of the proceedings in the Examiner hearing of Case No. 10181, heard by me on October 7, 1993.

David R. Cotnam

Examiner
Oil Conservation Division

CUMBRE COURT REPORTING

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