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

TRANSCRIPT OF VIRTUAL PROCEEDINGS
March 13, 2025

HEARD BEFORE:

HEARING EXAMINER GREGORY CHAKALIAN
TECHNICAL HEARING EXAMINER ANDREW FORDYCE
TECHNICAL HEARING EXAMINER JONATHAN GARCIA

REPORTED BY:

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TRANSCRIPT OF PROCEEDINGS

HEARING EXAMINER CHAKALIAN: Good morning.
My name is Gregory Chakalian. I'm the Hearing
Examiner.

With me today, we have technical
examiners as well. We have Mr. Andrew Fordyce, and
we have Mr. Jonathan Garcia.

We have a 49-case docket today. These
are the hearings by affidavit before the Division.

And we're going to begin with Case
Number 1, which is 24872. It is joined with 24873.
This is Avant Operating, the applicant. Entries of
appearance, please.

MR. HOLLIDAY: Good morning, Mr. Examiner.
Ben Holliday on behalf of Avant Operating, LLC.

HEARING EXAMINER CHAKALIAN: Good morning,
Mr. Holliday.

MS. VANCE: Good morning, Mr. Hearing
Examiner. Paula Vance, with the Santa Fe Office of
Holland & Hart, on behalf of Apache, Mewbourne, and
Permian Resources.

HEARING EXAMINER CHAKALIAN: And are you
just monitoring?

MS. VANCE: Just monitoring for all three.

MS. HATLEY: Good morning, Mr. Examiner.

1 Keri Hatley entering an appearance on behalf of
2 ConocoPhillips.

3 HEARING EXAMINER CHAKALIAN: And are you
4 just monitoring?

5 MS. HATLEY: Yes, sir.

6 HEARING EXAMINER CHAKALIAN: Thank you.

7 MS. KESSLER: Good morning, Mr. Examiner.
8 Jordan Kessler on behalf of EOG, also just
9 monitoring.

10 HEARING EXAMINER CHAKALIAN: All right.
11 Thank you, Ms. Kessler.

12 Okay. Mr. Holliday.

13 MR. HOLLIDAY: Thank you.

14 So before we get started, I wanted to
15 note that we filed amended exhibit packets this
16 morning, with a cover letter.

17 After taking over operations from Avant,
18 the Coterra team desired to modify the development
19 plan. And in the exhibits filed last week, we
20 inadvertently omitted a couple of wells that we
21 needed to include for the full 1272 nonstandard
22 spacing unit. So those were filed this morning, and
23 it will be available for reference for the Hearing
24 Examiner.

25 I'd ask the Division's preference, but

1 we'd prefer to go through with the hearing today with
2 notice being to the Division that we have filed the
3 amended exhibit packets.

4 HEARING EXAMINER CHAKALIAN: So,
5 Mr. Holliday, before I go to the parties to see if
6 they've reviewed the amended exhibit packets, does
7 this affect notice?

8 MR. HOLLIDAY: It does not.

9 HEARING EXAMINER CHAKALIAN: It does not.
10 And why doesn't it?

11 MR. HOLLIDAY: The changes were to the
12 initial wells dedicated to the unit. Avant proposed
13 a twelve- or a nine-well initial packet for the Bone
14 Spring and a four-well packet for the Wolfcamp.

15 Coterra wanted to trim that back and
16 drill less wells, and so when we filed our exhibit
17 packet last week, we inadvertently omitted certain
18 wells from that exhibit packet that are to be
19 included as initial wells.

20 HEARING EXAMINER CHAKALIAN: Well, let me
21 look at the filings.

22 Let me start with Mr. Fordyce, my
23 technical examiner. Have you had a chance to look at
24 the amended exhibits?

25 TECHNICAL EXAMINER FORDYCE: No, I have not,

1 Mr. Hearing Examiner.

2 HEARING EXAMINER CHAKALIAN: Okay.

3 So, Freya, did you take out the original
4 exhibit packet?

5 MS. TSCHANTZ: I did not. I just noticed
6 that the amended exhibits have come through, so I'm
7 going to approve them now. So they'll be available
8 in one second.

9 HEARING EXAMINER CHAKALIAN: I see. So
10 they're not here. So these are the ones from 3/7.
11 Okay.

12 So, Mr. Holliday, I appreciate your
13 being candid with the forum. However, since we
14 haven't had a chance to review them, I'd like to give
15 the technical examiner some time to review them.

16 So maybe what we can do is take these
17 and put them toward the end of our docket so we can
18 still hear them today, if that works for Mr. Fordyce.

19 Mr. Holliday, would you, since we don't
20 have them to look at -- Freya, how long before they
21 get into the imaging system?

22 MS. TSCHANTZ: I have the first one in. Now
23 I'm doing the second one.

24 HEARING EXAMINER CHAKALIAN: All right. How
25 many are there, Mr. Holliday?

1 MR. HOLLIDAY: There are two.

2 HEARING EXAMINER CHAKALIAN: Two, okay.

3 Yeah, I see 3/13 here. Okay.

4 So maybe you can help the technical
5 examiner, because he's already reviewed your original
6 exhibit packet. Can you tell him which exhibits have
7 been modified? I know you said there's a cover
8 letter. Can you just tell him what's changed?

9 MR. HOLLIDAY: Sure. And so these are two
10 overlapping spacing units, one for the Bone Spring,
11 one for the Wolfcamp. In each case, we amended the
12 Exhibit A-2, which is the self-affirmed statement for
13 Ms. St. Pierre to make clear that -- to list the
14 initial wells that Coterra desires to include in the
15 pooling order, and to make clear that notice to all
16 the offsetting operators was timely provided.

17 On Exhibit A-5, we amended that to
18 remove a couple of parties that have signed JOAs or
19 have been acquired by Avant. And we amended
20 Exhibit A-8 to include a list of notice to these
21 offset operators.

22 We've also amended Exhibit A-3 to
23 include the C-102s for all wells that need to be
24 included in the pooling order.

25 HEARING EXAMINER CHAKALIAN: So that's not

1 part of your cover letter, A-3?

2 MR. HOLLIDAY: I just realized. It's not.
3 I was rushing to get these in this morning before the
4 hearing.

5 HEARING EXAMINER CHAKALIAN: Okay. All
6 right.

7 So, Mr. Fordyce, does that give you
8 enough time to review A-2, A-5, A-8 and A-3? I would
9 say you probably have about two hours to do that.

10 TECHNICAL EXAMINER FORDYCE: Yes,
11 Mr. Hearing Examiner, I believe I can review the new
12 exhibit packet in that couple hours, yeah.

13 HEARING EXAMINER CHAKALIAN: Okay. Perfect.
14 Thank you.

15 Okay. And now I'm going to go to
16 counsel for the other parties, Mr. Holliday, and see
17 if there's any objection to moving forward.

18 So since Ms. Vance is sitting in the
19 room, and then I'll go to Ms. Hatley. And then we'll
20 go to the online participants.

21 Ms. Vance.

22 MS. VANCE: Yeah, my only question, and I
23 just want clarification, is that the wells that they
24 are including in their revised hearing packet is what
25 was in the original application. Because if they're

1 adding wells that weren't a part of the original
2 application, I think that would be an issue.

3 If they're just dropping wells, I don't
4 think that would be an issue. But I just want to
5 make sure that we have clarification on exactly what
6 wells are being added and if they were a part of the
7 original application.

8 HEARING EXAMINER CHAKALIAN: Mr. Holliday.

9 MR. HOLLIDAY: Yes. So we are just dropping
10 wells. And let me go to the original application and
11 I'll state those wells that are being dropped, for
12 the record.

13 HEARING EXAMINER CHAKALIAN: Thank you.
14 Which case are you dealing with first?

15 MR. HOLLIDAY: So first up is 24872 that's,
16 the Wolfcamp case. Actually, all wells included in
17 the application will remain the same. That was the
18 decision. First there was an attempt to trim those
19 wells back, but we're going to include the 6, 7, 8,
20 and 9H wells, all of which were included in the
21 application and notice to the parties.

22 HEARING EXAMINER CHAKALIAN: So what's the
23 change then? Why are you amending 24872, the hearing
24 packet?

25 MR. HOLLIDAY: Sure. We're amending 24872

1 because, as submitted last week, we only included the
2 6 and the 7H.

3 HEARING EXAMINER CHAKALIAN: So your
4 original application had more wells than the original
5 exhibit packet submitted last week? And now your
6 amended exhibit packet reflects your original
7 application?

8 MR. HOLLIDAY: Correct. So the original
9 application included the 6, 7, 8 and 9.

10 HEARING EXAMINER CHAKALIAN: Okay.

11 MR. HOLLIDAY: The exhibit packet, as
12 submitted last week, included only the 6 and the 7.

13 HEARING EXAMINER CHAKALIAN: Okay.

14 MR. HOLLIDAY: The amended exhibit packet
15 today has the full suite of 6 through 9.

16 HEARING EXAMINER CHAKALIAN: Okay.

17 Ms. Vance, does that answer your issue with that
18 case?

19 MS. VANCE: Yes. Thank you.

20 HEARING EXAMINER CHAKALIAN: Mr. Holliday,
21 the other case?

22 MR. HOLLIDAY: Okay. So I'm going to pull
23 that up right now. One second.

24 So for Case 24873, which is the Bone
25 Spring case, the initial application listed a 603 and

1 a 604H well. Those are being dropped. All remaining
2 wells in the application should be included in the
3 order. So we're just dropping the 603 and the 604.

4 HEARING EXAMINER CHAKALIAN: All right.
5 Thank you.

6 Ms. Vance?

7 MS. VANCE: That's it. Thank you.

8 HEARING EXAMINER CHAKALIAN: So, no
9 objection?

10 MS. VANCE: No objection. Okay.

11 Now, let's go to Ms. Hatley.

12 MS. HATLEY: No objection.

13 HEARING EXAMINER CHAKALIAN: No objection.
14 Okay.

15 And then online, we had counsel for -- I
16 think it's two other parties.

17 Mr. Holliday, who else has entered an
18 appearance on this case?

19 MR. HOLLIDAY: I believe EOG, COG, or
20 ConocoPhillips, and then Mrs. Vance's team.

21 HEARING EXAMINER CHAKALIAN: So I think it's
22 counsel for EOG who entered an appearance this
23 morning, and then I guess left.

24 Okay. Mr. Holliday, we're going to take
25 this up later today, these two cases. So we'll be in

1 recess on these two cases for now.

2 And, Mr. Fordyce, if you do somehow
3 finish your review earlier than later, maybe just
4 raise your hand or let Ms. Tschantz know and she'll
5 let me know to recall those sooner than later.

6 TECHNICAL EXAMINER FORDYCE: Yes,
7 Mr. Hearing Examiner, I'll do that.

8 HEARING EXAMINER CHAKALIAN: Thank you.

9 All right. So let's go to our next one
10 on the docket. So this is Line 3 on our docket. It
11 is Oxy USA, 25054, an enhanced oil recovery project.
12 Entries of appearance, please.

13 MR. RANKIN: Good morning, Mr. Hearing
14 Officer. Adam Rankin, with the Santa Fe office of
15 Holland & Hart, appearing on behalf of the applicant
16 in this case.

17 HEARING EXAMINER CHAKALIAN: Mr. Rankin,
18 good morning. I don't think there's any other
19 parties. Are there?

20 MR. RANKIN: I don't believe so.

21 HEARING EXAMINER CHAKALIAN: Okay. I didn't
22 think so. And you're just here to cure notice,
23 aren't you?

24 MR. RANKIN: Correct, Mr. Examiner. We're
25 here to perfect notice by publication.

1 HEARING EXAMINER CHAKALIAN: And did you
2 submit something?

3 MR. RANKIN: We did, Mr. Examiner. We have
4 filed a revised second supplemental exhibit packet
5 that includes a revised Exhibit F, which is the
6 updated and corrected notice of publication and
7 affidavit of publication reflecting that the correct
8 legal description of the project area was properly
9 published and timely published in the newspaper, the
10 Carlsbad Current-Argus.

11 So we've submitted a revised hearing
12 packet last week reflecting that that exhibit has
13 been updated.

14 HEARING EXAMINER CHAKALIAN: And you labeled
15 or titled that document the Second? Okay. Is there
16 any objection to removing the preceding hearing
17 exhibits?

18 MR. RANKIN: No, no objection from Oxy,
19 since this will be a complete substitution and update
20 of all the exhibits.

21 HEARING EXAMINER CHAKALIAN: Freya, do you
22 have that?

23 MS. TSCHANTZ: I do.

24 HEARING EXAMINER CHAKALIAN: Okay. Great.
25 So you'll be able to remove the preceding documents?

1 MS. TSCHANTZ: Yes.

2 HEARING EXAMINER CHAKALIAN: All right.

3 Thank you.

4 All right. Mr. Rankin, anything further
5 on this case?

6 MR. RANKIN: No. We just ask that the
7 second supplemental revised exhibit packet be
8 accepted into the record and that the case be taken
9 under advisement.

10 HEARING EXAMINER CHAKALIAN: The case taken
11 under advisement. And we're off the record. Thank
12 you.

13 MR. RANKIN: Thank you.

14 HEARING EXAMINER CHAKALIAN: I'm calling
15 Number 4 on our docket. It is 25125. These are
16 Permian Resource Operating amendment cases. They are
17 joined to other cases, 25127, 2829, 30 and 31.
18 Entries of Appearance, please.

19 MS. HARDY: Good morning. Dana Hardy, with
20 Hardy McLean, on behalf of Permian Resources.

21 HEARING EXAMINER CHAKALIAN: Good morning.

22 MS. HARDY: And there are no other parties
23 in these cases?

24 HEARING EXAMINER CHAKALIAN: No other?

25 MS. HARDY: Correct.

1 HEARING EXAMINER CHAKALIAN: Very good. Do
2 you want to present these as a group?

3 MS. HARDY: Sure.

4 HEARING EXAMINER CHAKALIAN: Go right ahead.

5 MS. HARDY: Thank you.

6 In these cases, Permian Resources seeks
7 to pool additional interest under the terms of Order
8 Numbers R-23593, 94, 95, 96, 97 and 98.

9 The orders were first entered in
10 December of 2024 and pooled uncommitted interest in
11 the first and third Bone Spring intervals of the Bone
12 Spring Formation underlying the east half of Sections
13 23 and 26, Township 22 South, Range 34 East in Lea
14 County.

15 Since these orders were entered, Permian
16 Resources identified additional uncommitted interest
17 that should be pooled under the terms of the orders.
18 And these new parties only include record title
19 owners.

20 The exhibit packets submitted include
21 land testimony and exhibits for Travis Macha, who has
22 previously testified and been recognized as an expert
23 in petroleum land matters, as well as the notice,
24 testimony and information.

25 We've provided the notice letter that

1 was sent January 14th, 2025, and an affidavit
2 publication from January 17th, 2025. So those were
3 timely.

4 With that, I ask that the exhibits
5 submitted in these cases be accepted into the record
6 and that they be taken under advisement.

7 HEARING EXAMINER CHAKALIAN: Thank you,
8 Ms. Hardy. So the basis for all of these
9 applications is to pool additional interest? It's
10 the same?

11 MS. HARDY: Correct.

12 HEARING EXAMINER CHAKALIAN: Okay. Very
13 good. All right.

14 Are there any objections?

15 Not hearing any, the exhibits in these
16 cases are admitted into evidence. And I'll turn to
17 Mr. Fordyce.

18 Mr. Fordyce, any questions on these
19 cases?

20 TECHNICAL EXAMINER FORDYCE: Yes, I have one
21 question, Mr. Hearing Examiner.

22 HEARING EXAMINER CHAKALIAN: Thank you,
23 Mr. Fordyce. Is the question for the landman or
24 Ms. Hardy?

25 TECHNICAL EXAMINER FORDYCE: I believe

1 Ms. Hardy might be able to address it.

2 HEARING EXAMINER CHAKALIAN: Okay. So,
3 Mr. Fordyce, Ms. Hardy is not going to be sworn in.
4 However, she does have a responsibility to the forum
5 to be forthright with us. However, if what you need
6 is evidence, you may want me to swear in Mr. Macha
7 and ask him the questions.

8 TECHNICAL EXAMINER FORDYCE: Yes,
9 Mr. Hearing Examiner, we can proceed that way.

10 HEARING EXAMINER CHAKALIAN: Mr. Macha.

11 MR. MACHA: I'm 0here.

12 HEARING EXAMINER CHAKALIAN: I'm going to
13 get you sworn in once your camera is turned on. And
14 we get you centered on our screen. There you are.

15 Mr. Macha, I see your right hand is
16 raised.

17 Do you swear or affirm, under penalty of
18 perjury, that the testimony you're about to give is
19 the truth, the whole truth and nothing but the truth?

20 MR. MACHA: Yes, sir.

21 HEARING EXAMINER CHAKALIAN: Thank you.

22 Would you state and spell your name for
23 the record.

24 MR. MACHA: Travis Macha, T-R-A-V-I-S,
25 M-A-C-H-A.

1 HEARING EXAMINER CHAKALIAN: And you've been
2 recognized by this Division as an expert in landman
3 petroleum matters?

4 MR. MACHA: Yes, sir.

5 HEARING EXAMINER CHAKALIAN: Very good.

6 Mr. Fordyce.

7 TECHNICAL EXAMINER FORDYCE: Good morning,
8 Mr. Macha. I'm looking at Page 16 of a 34-page
9 exhibit. I believe this is Exhibit A-3. It shows
10 additional pooling for Hunt, Samson and Alpha; is
11 that correct?

12 MR. MACHA: Yes, sir.

13 TECHNICAL EXAMINER FORDYCE: Now I would
14 like to look at Page 26, which is the notice letter
15 chart. And it shows that notice was sent to those
16 three parties and an additional two parties.

17 And I'm wondering if it could be -- give
18 us some idea why those two parties received notice.

19 MR. MACHA: Yeah, so we were going to seek
20 to pool both of those two individuals. They had not
21 signed the com agreement to date, but we did receive
22 their signatures. So we dropped them from seeking
23 the pool.

24 TECHNICAL EXAMINER FORDYCE: No further
25 questions.

1 HEARING EXAMINER CHAKALIAN: Okay. Thank
2 you, Mr. Fordyce. Do you have any other questions
3 for anyone else, Mr. Fordyce?

4 TECHNICAL EXAMINER FORDYCE: No further
5 questions, Mr. Hearing Examiner.

6 HEARING EXAMINER CHAKALIAN: Thank you.

7 So, Ms. Hardy, based on the evidence
8 that Mr. Macha just gave the Division, are you going
9 to amend your exhibits to reflect that?

10 MS. HARDY: I wouldn't think an amendment
11 would be necessary because we did give those parties
12 notice. But we're not -- this happens frequently,
13 where we send notice and then we include everyone who
14 has received notice in the record. But then our
15 Exhibit A-3 identifies who we are actually pooling.

16 HEARING EXAMINER CHAKALIAN: I see. So
17 you're saying that your Exhibit A-3 is the exhibit
18 that the Division would rely on and not the -- okay.
19 Very good.

20 MS. HARDY: Correct.

21 HEARING EXAMINER CHAKALIAN: And it's the
22 same for all of these cases, Ms. --

23 MS. HARDY: Yes, that's correct.

24 HEARING EXAMINER CHAKALIAN: All right.
25 Thank you, Ms. Hardy.

1 So, Mr. Fordyce, if you can make a note
2 in the system to disregard that Page 26 that had
3 additional parties and only deal with Exhibit A-3,
4 because that's the accurate exhibit.

5 TECHNICAL EXAMINER FORDYCE: Yes,
6 Mr. Hearing Examiner, I'll do that.

7 HEARING EXAMINER CHAKALIAN: All right.

8 Well, Ms. Hardy, thank you. So we will
9 take these cases under advisement.

10 MS. HARDY: Thank you.

11 HEARING EXAMINER CHAKALIAN: We're off the
12 record.

13 All right. Let's go back to our docket.
14 We are on Line Number 10. These are Devon Energy
15 Production amendment Cases 25132, 33, 34 and 35.
16 Entries of appearance, please.

17 MR. SAVAGE: Yes, sir. Good morning,
18 Mr. Hearing Examiner. Good morning, Technical
19 Examiners. Darin Savage, with the Santa Fe office of
20 Abadie & Schill, appearing on behalf of Devon Energy
21 Production Company, LP.

22 HEARING EXAMINER CHAKALIAN: Mr. Savage, are
23 there any other parties?

24 MR. SAVAGE: I don't believe so, no.

25 HEARING EXAMINER CHAKALIAN: Do you want to

1 present these as a group?

2 MR. SAVAGE: Yes, as consolidated. Thank
3 you.

4 HEARING EXAMINER CHAKALIAN: Go right ahead.

5 MR. SAVAGE: In these four consolidated
6 cases, 25132, 25133, 25134 and 25135, Devon seeks to
7 amend orders R-23072, R-23073, R-23074, and R-23075
8 in order to request a one-year extension of the well
9 commencement deadline for the pooled units in each
10 case.

11 Orders R-23072 and R-23074 pool the Bone
12 Spring Formation underlying the north half and south
13 half of Sections 23 and 24, Township 20 South,
14 Range 29 East, Eddy County, New Mexico.

15 And the other two orders are 23073 and
16 23075 pool, the Wolfcamp underlying the north half of
17 Sections 23 and 24 and the south half of Sections 23
18 and 24 and the east half, southeast quarter of
19 Section 22 in the same township and range, Eddy
20 County.

21 The pooling orders, copies of which are
22 provided in the reference section of the hearing
23 packet, allow for a time extension upon a showing of
24 good cause.

25 In Exhibit A of each case, of each

1 hearing packet, Mr. Andy Bennett is Devon's expert
2 witness. He has previously testified before the
3 Division and his credentials as an expert witness in
4 petroleum land matters have been accepted as a matter
5 of record.

6 Mr. Bennett states that Devon is in good
7 standing under the statewide rules and the existing
8 pooling orders and has been pursuing development of
9 the unit since issuance of the orders. However,
10 Devon has encountered difficulties with scheduling a
11 drilling rig.

12 As a result, Devon respectfully requests
13 the opportunity to move forward without interruption
14 under a one-year time extension, extending the
15 drilling commencement date to February 28th, 2026.

16 Exhibit B in each hearing packet shows
17 that notice by letter for this hearing was timely
18 sent, having been mailed on January 23rd, 2025.
19 Furthermore, newspaper publication in the Carlsbad
20 Current-Argus was timely published on January 25th,
21 2025, to account for any unlocatable parties or any
22 contingencies regarding notice.

23 Mr. Hearing Examiner, at this time, I
24 request that Exhibits A and B and all sub-exhibits
25 for the four cases be admitted into the record and

1 that the cases be taken under advisement.

2 Mr. Bennett and counsel are available
3 for questions.

4 HEARING EXAMINER CHAKALIAN: Thank you,
5 Mr. Savage.

6 Any objections?

7 No objections have been noted, so moved
8 for the exhibits. Mr. Savage, let's go to
9 Mr. Fordyce first.

10 Mr. Fordyce, any questions in these
11 cases?

12 TECHNICAL EXAMINER FORDYCE: Yes. I have a
13 question for the landman.

14 HEARING EXAMINER CHAKALIAN: Okay.
15 Mr. Bennett.

16 MR. BENNETT: I'm here.

17 HEARING EXAMINER CHAKALIAN: Mr. Bennett, I
18 see you have your right hand raised.

19 Do you swear or affirm, under penalty of
20 perjury, that the testimony you're about to give is
21 the truth, the whole truth and nothing but the truth?

22 MR. BENNETT: I do.

23 HEARING EXAMINER CHAKALIAN: Please state
24 and spell your name for the record.

25 MR. BENNETT: Andy Bennett, A-N-D-Y,

1 B-E-N-N-E-T-T.

2 HEARING EXAMINER CHAKALIAN: Thank you, sir.
3 And you've been previously recognized as an expert in
4 what field before this Division?

5 MR. BENNETT: Petroleum land management.

6 HEARING EXAMINER CHAKALIAN: All right.
7 Thank you.

8 Mr. Fordyce.

9 TECHNICAL EXAMINER FORDYCE: Good morning,
10 Mr. Bennett. I'm looking at Page 16 of this 29-page
11 exhibit. In Paragraph 5, it says: Devon has
12 experienced unanticipated delays in securing a rig
13 for the commencement of drilling. I was just asking
14 if you could add a little more color or description
15 to what type of anticipated delay you might be
16 experiencing.

17 MR. BENNETT: Just kind of regular flow of
18 operations. Devon has rigs running in New Mexico,
19 drilling multiple locations. And we were not able to
20 get the rig to this Tiger Paul location in time to
21 meet the one-year deadline of the existing pooling
22 order.

23 TECHNICAL EXAMINER FORDYCE: So would you
24 say it's related to a rig schedule, basically pushing
25 out in time further than originally anticipated?

Page 23

1 MR. BENNETT: Yes, sir, correct.

2 TECHNICAL EXAMINER FORDYCE: All right.

3 Thank you for that.

4 I have no further questions.

5 MR. BENNETT: Thank you.

6 HEARING EXAMINER CHAKALIAN: So,
7 Mr. Bennett, Mr. Fordyce asked you the question that
8 I was going to ask you, but I'm not sure I understand
9 the answer. Of course Mr. Fordyce has a lot more
10 experience in the oil patch than I do.

11 So, would you elaborate a little more on
12 why you couldn't start these or at least get these
13 wells going in the one-year time period?

14 And I can't hear you, you're muted.

15 MR. BENNETT: Sorry. I was on mute, yeah.

16 Just delays on some previous locations
17 that we were drilling, pushing back the timeline
18 that, unfortunately, Devon has run into.

19 HEARING EXAMINER CHAKALIAN: And why was
20 that outside your control?

21 MR. BENNETT: Drilling sometimes doesn't
22 always go smoothly on, you know, other locations and
23 can take longer than anticipated. And then that
24 delays moving the rig from a different location onto
25 this location and, you know, changes to the drilling

1 schedule, timeline, stuff like that.

2 It's really not a landman delay
3 function. It's more of the drilling, timing,
4 unanticipated things that can happen during drilling
5 operations.

6 HEARING EXAMINER CHAKALIAN: Mr. Fordyce,
7 you don't have any follow-up questions to that?

8 TECHNICAL EXAMINER FORDYCE: No, Mr. Hearing
9 Examiner, I have no further questions.

10 HEARING EXAMINER CHAKALIAN: All right.
11 Perfect. Thank you.

12 Thank you, Mr. Bennett.

13 THE WITNESS: Thank you.

14 HEARING EXAMINER CHAKALIAN: Mr. Savage,
15 we'll take these cases under advisement. Thank you.

16 MR. SAVAGE: Thank you.

17 HEARING EXAMINER CHAKALIAN: We are moving
18 on to Case Numbers 14 and 15 on our docket. These
19 are Permian Resource Operating compulsory pooling
20 cases, 25136 and 37. And entry of appearance,
21 please.

22 MS. VANCE: Good morning, Mr. Hearing
23 Examiner. Paula Vance, with the Santa Fe Office of
24 Holland & Hart, on behalf of the applicant Permian
25 Resources Operating, LLC.

1 HEARING EXAMINER CHAKALIAN: Are there any
2 other parties that you know of?

3 MS. VANCE: Not that I know of.

4 HEARING EXAMINER CHAKALIAN: Please proceed.

5 MS. VANCE: Thank you, Mr. Hearing Examiner.

6 So I'm going to present these as
7 consolidated cases. And the acreage involved with
8 these cases are irregular Sections 1 and 2 in
9 Township 22 South, Range 26 East, and that's in Eddy
10 County, New Mexico.

11 And for both cases, these are Bone
12 Spring, and they involve the Esperanza Bone Spring
13 pool, and the pool code is 97755.

14 So in Case Number 25136, this is the
15 north half case. And Permian is seeking to initially
16 dedicate this north half unit of Sections 1 and 2 to
17 the Water Buffalo State Com 131H, and that is a
18 proximity well, so allowing for the enlarged spacing
19 unit.

20 And then in Case Number 25137, this is
21 the south half case involving Sections 1 and 2. And
22 Permian is seeking to initially dedicate this spacing
23 unit to the Water Buffalo State Com 133H. Again,
24 this involves a proximity well allowing for the
25 enlarged spacing unit.

1 So in these cases, we have included --
2 or in our hearing packets, we have included a copy of
3 the applications. We have provided the compulsory
4 pooling checklist, as well as the self-affirmed
5 statements of a landman Colin Christian and geologist
6 Tyler Chesworth, both of whom have previously
7 testified before the Division and their credentials
8 have been accepted as a matter of record.

9 We have Mr. Christian's statement, which
10 is Exhibit C, along with all of the required
11 sub-exhibits for land.

12 And then we have Mr. Chesworth's
13 statement, which is Exhibit D, along with all of the
14 required geology sub-exhibits.

15 That's followed by Exhibit E, which is
16 my self-affirmed statement of notice, with a sample
17 letter that was timely mailed on January 24th, 2025.

18 And then lastly is Exhibit D, the
19 affidavit of notice of publication which was timely
20 published on January 30th, 2025.

21 And unless there are any questions, I
22 would ask that the exhibits and sub-exhibits be
23 admitted into the record and that these two cases be
24 taken under advisement by the Division.

25 HEARING EXAMINER CHAKALIAN: And, Ms. Vance,

1 I might have missed it. When did you say that the
2 letters were sent out in this case?

3 MS. VANCE: January 24th, 2025.

4 HEARING EXAMINER CHAKALIAN: Okay. And the
5 publication?

6 MS. VANCE: January 30th, 2025. These were
7 originally supposed to be on the last docket and got
8 pushed.

9 HEARING EXAMINER CHAKALIAN: Are there any
10 objections to these exhibits?

11 Where do I hear -- is that someone here
12 or it's -- thank you. I don't know how you do that.

13 Not hearing any objections, these
14 exhibits are admitted into evidence in these two
15 cases.

16 Mr. Fordyce, any questions for the
17 landman or the geologist?

18 TECHNICAL EXAMINER FORDYCE: I have no
19 questions for the landman or geologist, Mr. Hearing
20 Examiner. But I do believe I've identified a typo in
21 the checklist.

22 HEARING EXAMINER CHAKALIAN: Okay. What
23 page are you on of the exhibit?

24 TECHNICAL EXAMINER FORDYCE: I am on Page 4
25 of the exhibit, which I believe is Page 2 of the

1 checklist. And I'm looking at the production
2 supervision per month charge that's listed.

3 HEARING EXAMINER CHAKALIAN: It's a hundred
4 dollars.

5 MS. VANCE: That is incorrect.

6 HEARING EXAMINER CHAKALIAN: Good catch,
7 Mr. Fordyce.

8 Ms. Vance, what should it be?

9 MS. VANCE: It should be \$1000. Okay. So
10 it's the same for both. I can get those fixed.

11 HEARING EXAMINER CHAKALIAN: Okay. Very
12 good.

13 Thank you, Mr. Fordyce. Anything else
14 that you spotted, or can we take these under
15 advisement once we get an amended exhibit list?

16 TECHNICAL EXAMINER FORDYCE: We can take
17 them under advisement.

18 HEARING EXAMINER CHAKALIAN: Okay. Very
19 good.

20 Ms. Vance, how long? A day?

21 MS. VANCE: This afternoon.

22 HEARING EXAMINER CHAKALIAN: This afternoon.
23 Okay. Sounds good. So we will leave the record open
24 for the rest of the day so you can file amended
25 exhibit packets in both cases correcting this

1 production supervision monthly cost to \$1000. And
2 then we'll take the cases under advisement.

3 MS. VANCE: Perfect.

4 HEARING EXAMINER CHAKALIAN: All right.
5 Thank you, Ms. Vance.

6 Moving on to COG Operating, Cases 25138
7 and 39, compulsory pooling cases. Entry of
8 appearance, please.

9 MS. HATLEY: Good morning, Mr. Examiner.
10 Keri Hatley appearing for COG Operating, LLC.

11 HEARING EXAMINER CHAKALIAN: Good morning,
12 Ms. Hatley. Are there any other parties that you
13 know of?

14 MS. HATLEY: Not that I'm aware of.

15 HEARING EXAMINER CHAKALIAN: All right.
16 Very good. Do you want to present them together?

17 MS. HATLEY: Yes, please.

18 HEARING EXAMINER CHAKALIAN: Go right ahead.

19 MS. HATLEY: Mr. Examiner, in both of these
20 consolidated cases, COG is seeking to pool
21 uncommitted interests and overriding royalty interest
22 owner in acreage in the west half of Sections 19, 30,
23 and 31 of Township 25 South, Range 35 East, in Lea
24 County, New Mexico.

25 In the first case, 25138, COG is seeking

1 to pool a standard 480-acre horizontal well spacing
2 unit in the Fairview Mills Bone Spring Formation.
3 That is Pool Code 96340. The spacing unit is
4 standard and comprises the east half, west half of
5 Sections 19, 30, and 31. This acreage will be
6 dedicated to the Pitchblende 1930 Federal Com 601H
7 well.

8 In the second case, 25139, COG is
9 seeking to pool a standard 480.72-acre horizontal
10 well spacing unit in the same Bone Spring Formation,
11 same pool code, and standard spacing unit being the
12 west half, west half of Sections 19, 30 and 31. This
13 acreage will be dedicated to the Pitchblende 1930
14 Federal Com 602H well.

15 The evidence packets for these cases
16 include copies of the applications, the compulsory
17 pooling checklist, self-affirmed statements of
18 landman Caroline Frederick and geologist Tyler
19 Patrick. Both of these experts have previously
20 testified before this Division and have been
21 recognized as experts.

22 Ms. Frederick's statement is Exhibit C.
23 It includes all the standard land exhibits.

24 Mr. Patrick's statement is Exhibit D and
25 includes all the standard geology exhibits. In these

1 cases, Mr. Patrick did not observe any faulting or
2 other geological impediments to these wells.

3 Finally, Exhibit E is my self-affirmed
4 statement of notice with a copy of the letter that
5 was timely mailed on January 17th, 2025, to the only
6 party we are seeking to pool today, an overriding
7 royalty interest owner, OGX Minerals II, LP.

8 We also published a notice. You'll find
9 our notice of publication affidavit included as
10 Exhibit G, which was timely published on January
11 23rd, 2025.

12 Unless there are questions, I would ask
13 that all exhibits and sub-exhibits be admitted into
14 the record and that these cases be taken under
15 advisement to the Division at this time.

16 HEARING EXAMINER CHAKALIAN: Thank you,
17 Ms. Hatley.

18 Are there any objections?

19 No objections have been heard. These
20 exhibits are admitted into evidence in both cases.

21 Is it Mr. Fordyce or Mr. Garcia who is
22 our technical examiner on these cases?

23 TECHNICAL EXAMINER GARCIA: I believe the
24 rest are mine.

25 HEARING EXAMINER CHAKALIAN: Ah, very good.

1 Mr. Garcia, do you have any questions in these two
2 cases?

3 TECHNICAL EXAMINER GARCIA: No questions,
4 but typos do exist in Case 25138. In the checklist
5 and I think all the exhibits, your API number has
6 typos in it. The last five digits are listed as
7 53596. It's that third digit that's the typo, I
8 believe. It's 536, is what it's supposed to be, at
9 least according to the APDs that I saw in our system.

10 MS. HATLEY: Mr. Garcia, may I just clarify?
11 Those last digits are supposed to be 53696?

12 TECHNICAL EXAMINER FORDYCE: I believe so,
13 yeah. I found an APD for those -- for that API
14 number with this whole name for your operator. This
15 API number belonged to another operator. So I think
16 it's just a typo in that third digit.

17 MS. HATLEY: Thank you, sir. I'll get that
18 corrected.

19 HEARING EXAMINER CHAKALIAN: Okay. How long
20 do you want to correct it?

21 MS. HATLEY: End of the day today will be
22 fine.

23 HEARING EXAMINER CHAKALIAN: All right.
24 We'll leave the record open in both cases until the
25 end of today. We'll expect an amended exhibit packet

1 with a cover letter explaining the change you made
2 and the page number and why you changed it. And then
3 we'll take these cases under advisement. Thank you.

4 MS. HATLEY: Thank you, sir.

5 HEARING EXAMINER CHAKALIAN: Thank you.

6 All right. Let's move on to Mewbourne
7 Oil cases. It looks like there's two of them. These
8 are Lines 18 and 19 in our docket, 25149, 25150.
9 Entry of appearance, please.

10 MR. RANKIN: Good morning, Mr. Examiner.
11 Adam Rankin, with the Santa Fe Office of Holland &
12 Hart, appearing on behalf of the applicant in these
13 two cases.

14 HEARING EXAMINER CHAKALIAN: And,
15 Mr. Rankin, are there any other parties that you know
16 of?

17 MR. RANKIN: Yes, there are.

18 MS. HATLEY: Good morning, Mr. Examiner.
19 Keri Hatley representing COG Operating.

20 HEARING EXAMINER CHAKALIAN: And are you
21 monitoring?

22 MS. HATLEY: We are only monitoring.

23 HEARING EXAMINER CHAKALIAN: Very good.
24 Thank you.

25 Mr. Rankin, please.

1 MR. SAVAGE: Good morning, Mr. Hearing
2 Examiner. Darin Savage, with Abadie & Schill, on
3 behalf of -- I'm going to say Coterra Energy,
4 Incorporated, and subsidiaries, which includes
5 Cimarex Energy.

6 HEARING EXAMINER CHAKALIAN: Thank you. Are
7 you just monitoring?

8 MR. SAVAGE: I'm monitoring, yes.

9 HEARING EXAMINER CHAKALIAN: Thank you,
10 Mr. Savage.

11 Mr. Rankin.

12 MR. RANKIN: Thank you, Mr. Examiner.

13 In Case 25149, Mewbourne seeks to pool
14 the north half, north half equivalent of Sections 19
15 and 20 in Township 18 South, Range 29 East in Eddy
16 County.

17 And in Case 25150, it seeks to pool the
18 south half, north half equivalent of the same
19 sections.

20 In these cases, Mewbourne is seeking to
21 pool approximately two 312-acre spacing units in the
22 Bone Spring Formation and to designate Mewbourne as
23 the operator of both spacing units.

24 We filed last week an exhibit packet
25 consisting of Exhibit A, which is the compulsory

1 pooling checklist, as required for each case.

2 Exhibit B are the applications that were
3 filed seeking the compulsory pooling.

4 Exhibit C is a landman statement of
5 Mr. Brock Dixon. He's previously testified before
6 the Division and has been accepted as an expert in
7 petroleum land matters.

8 Exhibits C-1 through C-4 attached to
9 Mr. Dixon's statement are the standard exhibits for
10 pooling consisting of the C-102 well proposal
11 letters, AFEs, and the chronology of communications
12 with the pool parties.

13 Exhibit D is the affidavit of Mr. Justin
14 Rader. He's the geologist. He's previously
15 testified and has been accepted as an expert in
16 petroleum geology before the Division. His Exhibits
17 D-1 through D-3 evaluate the geology and the acreage,
18 confirm that the spacing is appropriate for
19 horizontal well development, and that each tract will
20 contribute more or less equally to production.

21 Exhibit E is the attorney affidavit
22 reflecting that we have provided notice to each of
23 the pooled parties by certified mail.

24 And then Exhibit F is the affidavit of
25 publication confirming that we have provided also

1 constructive notice through publication to each of
2 the pool parties timely in a newspaper of general
3 circulation within the county.

4 Unless there are any questions,
5 Mr. Examiner, we would move the Exhibits A through F
6 and their attachments and ask that the case be taken
7 under advisement.

8 HEARING EXAMINER CHAKALIAN: Thank you,
9 Mr. Rankin. I might have missed it. Did you say
10 that Mr. Dixon has been accepted as a landman expert
11 before the Division?

12 MR. RANKIN: Correct.

13 HEARING EXAMINER CHAKALIAN: All right.
14 Thank you. And when were the letters sent out?

15 MR. RANKIN: For notice?

16 HEARING EXAMINER CHAKALIAN: Yes, please.

17 MR. RANKIN: January 24th.

18 HEARING EXAMINER CHAKALIAN: Okay. Thank
19 you. And the publication?

20 MR. RANKIN: The publication of notice was
21 published on January 30th.

22 HEARING EXAMINER CHAKALIAN: And we have an
23 affidavit for that?

24 MR. RANKIN: We do.

25 HEARING EXAMINER CHAKALIAN: Okay. Thank

1 you. Are there any objections, Ms. Hatley,
2 Mr. Savage?

3 MR. SAVAGE: No objections.

4 MS. HATLEY: No objections.

5 HEARING EXAMINER CHAKALIAN: Thank you.

6 The exhibits are admitted into evidence
7 in both cases.

8 Mr. Garcia, questions?

9 TECHNICAL EXAMINER GARCIA: No questions.

10 HEARING EXAMINER CHAKALIAN: Thank you.

11 These cases are taken under advisement.

12 Okay. We're moving on now to WPX Energy
13 Permian. It looks like we have two cases, Number 20
14 and 21 on our docket, 25152, 25153. Entries.

15 MR. SAVAGE: Yes, sir. Good morning,
16 Mr. Hearing Examiner. Good morning, Technical
17 Examiners. Darin Savage, with Abadie & Schill,
18 appearing on behalf of the applicant, WPX Energy
19 Permian, LLC.

20 HEARING EXAMINER CHAKALIAN: Thank you,
21 Mr. Savage. Are there any others?

22 MS. HATLEY: Good morning, Mr. Examiner.
23 Keri Hatley appearing on behalf of COG Operating.

24 HEARING EXAMINER CHAKALIAN: Are you
25 monitoring?

1 MS. HATLEY: We are.

2 HEARING EXAMINER CHAKALIAN: Thank you.

3 Mr. Savage, anyone else that you know
4 of?

5 MR. SAVAGE: No.

6 HEARING EXAMINER CHAKALIAN: Please proceed.

7 MR. SAVAGE: Cases 25152 and 25153 cover
8 lands in the east half, Sections 23, 26 and 35 in
9 Township 26 South, Range 30 East, Eddy County, New
10 Mexico.

11 The landman, Tim Prout, has testified
12 previously before the Division. His credentials have
13 been accepted as an expert witness in petroleum land
14 matters.

15 The geologist, Russell Goodin, has
16 testified previously before the Division as an expert
17 witness in geology, and his credentials have been
18 accepted as a matter of record.

19 In Case 25152, WPX seeks an order
20 pooling all uncommitted interest in the Bone Spring
21 Formation, designated as an oil pool, underlying a
22 standard 769.91-acre, more or less, spacing unit
23 comprised of the east half of Sections 23, 26 and 35.

24 The unit will be dedicated to the Ross
25 Draw 35-26-23 Fed Com wells as four initial wells.

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1 Orientation of the wells and unit are stand up south
2 to north, with standard locations.

3 Mr. Prout's Exhibit A for Case 25152
4 includes his landman self-affirmed statement, C-102s
5 and ownership breakdown, well proposal letter with
6 AFEs and chronology of contacts.

7 And Mr. Goodin's Exhibit B for this case
8 includes his self-affirmed statement along with five
9 standard geology exhibits describing the potential
10 for development in the unit.

11 Exhibit C provides the self-affirmed
12 statement of notice for mailing and the publication
13 notice. Notice was timely mailed on January 23rd,
14 2025. WPX found working interest owners to be
15 locatable.

16 Notice letter for COG Operating, LLC,
17 who has made an appearance, was returned. However,
18 COG was aware of the hearing and entered a letter
19 agreement prior to the hearing, without objection.

20 Notice letters for National XP and
21 National Trainer Partners, LTD, are listed by the
22 post office as lost. However, National XP and
23 National Trainer are part of the National XP and
24 Titus group, who were contacted by e-mail, and they
25 stated they have no objections, as shown by the

1 e-mail by Titus included in Exhibit C.

2 Notice by publication was timely
3 published on January 25th, 2025 to account for any
4 unforeseen contingencies.

5 In the next case, 25153, WPX seeks an
6 order pooling all uncommitted interests in the
7 Wolfcamp Formation designated as a gas pool,
8 underlying a standard 769.91-acre, more or less
9 spacing unit again comprised of the east half of the
10 three sections.

11 The unit will be dedicated to the Ross
12 Draw 352623 Fed Com wells, representing nine initial
13 wells. Orientations of the wells are stand up south
14 to north and they have standard locations.

15 Mr. Prout's Exhibit A for Case 25153
16 also includes his landman statement, the C-102's,
17 ownership breakdown, well proposal a letter and AFEs,
18 and the chronology of contacts.

19 And Mr. Goodin's Exhibit B includes all
20 the five standard geology exhibits.

21 Exhibit C provides the self-affirmed
22 statement of notice for mailings and publication.
23 Again, notice was timely mailed on January 23rd, and
24 WPX found the working interest owners to be
25 locatable.

1 In this case, notice letters for
2 Mccully-Chapman and Marathon Oil Permian were
3 returned. However, Mccully-Chapman is part of the
4 Broughton Petroleum group, for which notice was
5 delivered, as shown in the mailing report. And
6 Marathon is part of the ConocoPhillips COG group,
7 which was aware of the hearing and did enter a letter
8 agreement prior to the hearing without objection.

9 And then notice letters for the National
10 Trainer Partners, LTD, is listed as returned.
11 However, National Trainer is part of this National XP
12 and Titus group, and they were contacted by e-mail
13 and they responded with no objection.

14 A notice by publication was timely
15 published on January 25th to account for any
16 unforeseen contingencies.

17 And, Mr. Hearing Examiner, at this time
18 I move that Exhibits A, B and C and all sub-exhibits
19 be admitted into the record for Case 25152 and 25153,
20 and that the cases be taken under advisement.

21 The witnesses and counsel are available
22 for questions.

23 HEARING EXAMINER CHAKALIAN: Thank you,
24 Mr. Savage. I noticed that you filed amended hearing
25 packets in both cases. These were filed yesterday.

1 In 25152, we have an amendment to revise
2 Exhibit B-1 and B-3, so let's deal with the cases
3 separately.

4 Are there any objections to the amended
5 hearing packet in that case?

6 MS. HATLEY: No objections.

7 HEARING EXAMINER CHAKALIAN: All right.

8 Thank you.

9 Mr. Savage, the exhibits in Case 25152
10 are admitted into evidence.

11 Mr. Garcia, have you had a chance to
12 review the amended hearing packet?

13 TECHNICAL EXAMINER GARCIA: I have.

14 HEARING EXAMINER CHAKALIAN: All right,
15 thank you. Any questions?

16 TECHNICAL EXAMINER GARCIA: For the whole
17 packet, I have no questions. Just a typo in the
18 checklist.

19 HEARING EXAMINER CHAKALIAN: Is this case
20 25152?

21 TECHNICAL EXAMINER GARCIA: It is.

22 HEARING EXAMINER CHAKALIAN: Okay. Please
23 go ahead.

24 TECHNICAL EXAMINER GARCIA: Mr. Savage, the
25 pool code in your checklist is incorrect, according

1 to our APD reviewers. It's a lot of digits. I can
2 give it to you if you have a pen.

3 MR. SAVAGE: Okay.

4 TECHNICAL EXAMINER GARCIA: Or if there's no
5 objection, I can e-mail it to you. Because it's a
6 lot of random letters and numbers.

7 MR. SAVAGE: E-mail would be good. Thank
8 you.

9 TECHNICAL EXAMINER GARCIA: Is that okay,
10 Mr. Chakalian?

11 HEARING EXAMINER CHAKALIAN: By all means.

12 TECHNICAL EXAMINER GARCIA: Yeah, sorry.
13 It's like 25 digits.

14 HEARING EXAMINER CHAKALIAN: Yeah, I think
15 that's a good idea. Thank you, Mr. Garcia.

16 So what we'll do, Mr. Savage, in this
17 case, is we'll leave the record open for a second
18 amended exhibit packet with the corrected pool code.
19 How long do you want for that?

20 MR. SAVAGE: We should be able to do that
21 today.

22 HEARING EXAMINER CHAKALIAN: End of day?
23 Okay. So we'll leave the record open and then we'll
24 take it under advisement when we get the second
25 amended in.

1 Ms. Tschantz, would you please remove
2 anything that is redundant in this case?

3 MS. TSCHANTZ: I will.

4 HEARING EXAMINER CHAKALIAN: All right.
5 Thank you.

6 Let's go to 53. I also see that you
7 have an amended exhibit packet here. Here, you only
8 amend or revise Exhibit B-1.

9 Ms. Hatley, any objections to the
10 amended hearing packet?

11 MS. HATLEY: No, Mr. Examiner.

12 HEARING EXAMINER CHAKALIAN: Mr. Savage, the
13 exhibits in this case are taken as evidence.

14 Mr. Garcia, same correction for this
15 case?

16 TECHNICAL EXAMINER GARCIA: No. Different
17 formation. The pool is correct in this case.

18 HEARING EXAMINER CHAKALIAN: Oh, good.
19 Okay.

20 Do you have any questions in this case?

21 MR. SAVAGE: No questions.

22 TECHNICAL EXAMINER GARCIA: And, Mr. Savage,
23 that e-mail is on its way to you.

24 HEARING EXAMINER CHAKALIAN: So, Mr. Garcia,
25 we can take 25153 under advisement now?

1 TECHNICAL EXAMINER GARCIA: Correct.

2 HEARING EXAMINER CHAKALIAN: Okay. Very
3 good.

4 Thank you, Mr. Savage. We're off the
5 record in these cases.

6 MR. SAVAGE: Thank you.

7 HEARING EXAMINER CHAKALIAN: Thank you.

8 Okay. Let's move on. We are now
9 Lines 22 and 23. These are PBEX Operations, LLC,
10 compulsory pooling Cases 25154 and 55. Entries of
11 appearance, please.

12 MS. HARDY: Mr. Examiner, Dana Hardy with
13 Hardy McLean on behalf of PBEX Operations, LLC.

14 And there are no other parties in these
15 cases.

16 HEARING EXAMINER CHAKALIAN: Okay. Thank
17 you. Go right ahead.

18 MS. HARDY: Thank you.

19 In these cases, PBEX applies for an
20 order pooling uncommitted interests in the first,
21 second and third Bone Spring intervals of the Bone
22 Spring Formation underlying two 960-acre, more or
23 less, standard horizontal spacing units, comprised of
24 the west half of Sections 15, 22 and 27, Township 19
25 South, Range 33 East in Lea County.

1 The units will be dedicated to the
2 Moonraker 1527 Fed Com 201H, 205H, 101H and 102H
3 wells. Both spacing units are proximity tract units
4 and involve overlapping spacing units.

5 Due to a depth severance within the
6 unit, Case Number 25154 seeks to pool uncommitted
7 interest in the second and third Bone Spring.

8 And Case Number 25155 seeks to pool
9 uncommitted interest in the first Bone Spring.

10 The exhibit packets submitted for the
11 cases include the land testimony and exhibits of Ruth
12 Pelzel, and geology testimony and exhibits of Matthew
13 Pardee, both of whom have been previously recognized
14 as experts in their field before the Division.

15 The packet also contains the notice,
16 testimony and exhibits, including the notice letter
17 that was sent on January 22nd of 2025, and an
18 affidavit of publication dated January 29th, 2025.
19 So those are timely.

20 With that, I ask that the exhibits
21 submitted for these cases be admitted into the record
22 and that the cases be taken under advisement. Thank
23 you.

24 HEARING EXAMINER CHAKALIAN: Thank you,
25 Ms. Hardy.

1 Any objections?

2 Not hearing any, these exhibits are
3 admitted into evidence.

4 Mr. Garcia, questions on 25154 or 55?

5 TECHNICAL EXAMINER GARCIA: No questions.

6 HEARING EXAMINER CHAKALIAN: Okay,
7 Ms. Hardy. Your cases are taken under advisement.
8 Thank you.

9 Okay. Moving on to Permian Resources,
10 LLC, cases, it looks like we have three of them that
11 are consolidated: 25156, 58 and 59. These are lines
12 24 through 26 on our docket.

13 MS. MCLEAN: Good morning, Jackie McLean
14 with Hardy McLean on behalf of Permian Resources.

15 HEARING EXAMINER CHAKALIAN: Good morning.
16 Are there any other parties that you know of?

17 MS. MCLEAN: There is. XTO has entered an
18 appearance in this case.

19 MS. VANCE: Good morning, Mr. Hearing
20 Examiner. Paula Vance, with the Santa Fe Office of
21 Holland & Hart, on behalf of XTO.

22 HEARING EXAMINER CHAKALIAN: Thank you. Are
23 you just monitoring?

24 MS. VANCE: Just monitoring. And I have
25 looked at the hearing packets and confirmed that XTO

1 is not being pooled.

2 HEARING EXAMINER CHAKALIAN: Thank you.

3 Ms. McLean?

4 MS. MCLEAN: Thank you. In Case Numbers
5 25156, 25158 and 25159, Permian Resources applies for
6 an order pooling all uncommitted interests in the
7 first Bone Spring interval of irregular Section 5 and
8 Sections 8 and 17, Township 22 South, Range 35 East
9 in Lea County, and this will be dedicated to --

10 HEARING EXAMINER CHAKALIAN: I think it's
11 the microphone behind you. I think.

12 MS. MCLEAN: Thank you. I was going to say,
13 my allergies are really bad.

14 And this acreage will be dedicated to
15 three wells, the Casa Bonita 517 State Com 301H, 303H
16 and 304H wells. And due to a depth severance,
17 Permian Resources is seeking to only pool those
18 interests from the top of the Bone Spring Formation
19 to the base of the first Bone Spring interval.

20 The exhibit packet submitted for the
21 cases include land testimony and exhibits from Reagan
22 Armstrong, and geology testimony exhibits from Chris
23 Reudelhuber.

24 And while Mr. Reudelhuber has testified
25 before and been designated an expert in petroleum

1 geology, this is Ms. Armstrong's first time
2 testifying, so we've included her resume as Exhibit
3 A-1, and she is available to answer any questions you
4 might have.

5 HEARING EXAMINER CHAKALIAN: Is
6 Ms. Armstrong with us now?

7 MS. MCLEAN: I believe she is.

8 MS. ARMSTRONG: Yes, sir.

9 HEARING EXAMINER CHAKALIAN: Ms. Armstrong,
10 would you turn on your camera. There you go. We're
11 going to get you in the center. Good morning,
12 Ms. Armstrong. Would you state and spell your name
13 for the record.

14 MS. ARMSTRONG: Reagan Armstrong,
15 R-E-A-G-A-N, A-R-M-S-T-R-O-N-G.

16 HEARING EXAMINER CHAKALIAN: All right.
17 Thank you. Would you raise your right hand, please?

18 MS. ARMSTRONG: Yes, sir.

19 HEARING EXAMINER CHAKALIAN: Thank you.

20 Do you swear or affirm the testimony
21 you're about to give is the truth, the whole truth,
22 nothing but the truth, under penalty of perjury?

23 MS. ARMSTRONG: I do.

24 HEARING EXAMINER CHAKALIAN: All right.
25 Thank you. Let's go over, first of all, what field

1 of expertise are you seeking to be admitted as an
2 expert before this Division?

3 MS. ARMSTRONG: Petroleum land management.

4 HEARING EXAMINER CHAKALIAN: Land
5 management. Okay. And what education do you have
6 that goes toward that expertise?

7 MS. ARMSTRONG: I have a four-year bachelor
8 degree from Texas Tech University, with a focus in
9 energy commerce.

10 HEARING EXAMINER CHAKALIAN: Okay. And when
11 did you achieve that degree?

12 MS. ARMSTRONG: I graduated in May of 2023.

13 HEARING EXAMINER CHAKALIAN: Oh, okay. And
14 did you do an internship or an externship while you
15 were in school?

16 MS. ARMSTRONG: Yes, sir. I did an
17 internship between my junior and senior year at a
18 brokerage firm, running title. And then after
19 graduating, I started work at Endeavor Energy
20 Resources and I was there for about a year and a
21 half. And now I'm at Permian Resources.

22 HEARING EXAMINER CHAKALIAN: Okay. And tell
23 me what you did at Endeavor.

24 MS. ARMSTRONG: I was in charge of managing
25 a number of units, looking over title and creating

1 interest sheets and mineral reports so that we could
2 execute and draft proposals and JOAs for our units,
3 as well as Endeavor other projects.

4 HEARING EXAMINER CHAKALIAN: And now you're
5 at Permian. What do you do at Permian?

6 MS. ARMSTRONG: I've been managing units and
7 sending out proposals, JOAs, negotiating with other
8 working interest parties and reviewing JIB summaries
9 and approving plats, among other things.

10 HEARING EXAMINER CHAKALIAN: Okay. What's
11 your title at Permian?

12 MS. ARMSTRONG: I am a contract landman.

13 HEARING EXAMINER CHAKALIAN: Contract
14 landman. What does that mean when you say "contract
15 landman"?

16 MS. ARMSTRONG: So, basically, I set my own
17 hours and the company hires me out to do specific
18 projects for them.

19 HEARING EXAMINER CHAKALIAN: I see. Okay.
20 All right. So, Ms. Armstrong, from here on in, you
21 are an expert in that field of petroleum land
22 management before this Division.

23 All right. Ms. McLean, did you want to
24 continue?

25 MS. MCLEAN: Yes. Thank you very much.

1 HEARING EXAMINER CHAKALIAN: Thank you,
2 Ms. Armstrong.

3 MS. ARMSTRONG: Thank you.

4 MS. MCLEAN: In the exhibit packets that
5 were submitted last week, we also include the notice
6 testimony and exhibits, which include the notice
7 letter that was sent out on January 16, 2025, and an
8 affidavit of publication for January 22, 2025.

9 And with that, I ask that the exhibits
10 be admitted into the record and that Case Numbers
11 25156, 58 and 59 be taken under advisement.

12 HEARING EXAMINER CHAKALIAN: Thank you,
13 Ms. McLean.

14 Any objections?

15 MS. VANCE: No.

16 HEARING EXAMINER CHAKALIAN: Thank you.

17 Your exhibits are admitted into
18 evidence.

19 MS. MCLEAN: Thank you.

20 HEARING EXAMINER CHAKALIAN: Mr. Garcia,
21 questions in these two cases?

22 TECHNICAL EXAMINER GARCIA: Questions for
23 the landman.

24 HEARING EXAMINER CHAKALIAN: Ms. Armstrong,
25 would you come back with your camera on?

1 MS. ARMSTRONG: Yes, sir.

2 HEARING EXAMINER CHAKALIAN: Thank you. I
3 remind you, you're still under oath.

4 Mr. Garcia.

5 HEARING EXAMINER GARCIA: I was wondering if
6 you could just provide a little bit more insight on
7 the depth severance and why it exists and how you
8 located that it was recorded.

9 MS. ARMSTRONG: So the depth severance,
10 basically, we get title from title attorneys, and
11 they review all of the ownership for the sections.
12 And that's what we base our interest from. And so we
13 initially drilled previous wells, I believe in the
14 second Bone Spring, and that was pooled separately.
15 So in order to pool for these wells, we only did the
16 first Bone Spring.

17 HEARING EXAMINER GARCIA: Okay. So you guys
18 have pooled beneath the depth severance, as well.

19 MS. ARMSTRONG: Yes, sir.

20 TECHNICAL EXAMINER GARCIA: All right. No
21 more questions, Mr. Examiner.

22 HEARING EXAMINER CHAKALIAN: Can we take
23 these cases under the advisement?

24 TECHNICAL EXAMINER GARCIA: We can.

25 HEARING EXAMINER CHAKALIAN: Thank you,

1 Ms. McLean.

2 MS. MCLEAN: Thank you.

3 HEARING EXAMINER CHAKALIAN: Let's move on
4 to the next. This would be Spur Energy Partner, one
5 case at Line 27, it's 25163.

6 MS. HARDY: Mr. Examiner, Dana Hardy with
7 Hardy McLean on behalf of Spur Energy Partners, LLC.
8 And there are no other parties in this case. Thank
9 you.

10 In this case, Spur seeks an order
11 pooling uncommitted interest from the top of the Yeso
12 Formation to 5,000 measured depth underlying a
13 157.38-acre, more or less, standard horizontal
14 spacing unit comprised of the north half of the north
15 half of irregular Section 7, Township 17 South, Range
16 30 East in Eddy County. The unit will be dedicated
17 to the Merrick 7 Federal Com 20H well.

18 And in this case, Spur is only seeking
19 to pool overriding royalty interests.

20 The exhibit packet submitted for the
21 case includes the land testimony and exhibits of Rett
22 Dalton, and geology testimony and exhibits of Matthew
23 Van Wie, both of whom have previously testified and
24 been recognized as experts in their respective fields
25 by the Division.

1 We've also provided the notice testimony
2 and exhibits, which includes the notice letter sent
3 on January 23rd, 2025, and an affidavit of
4 publication from January 30th of 2025.

5 With that, I request that the exhibits
6 be admitted and that the case be taken under
7 advisement.

8 HEARING EXAMINER CHAKALIAN: I was just
9 commending Ms. Hardy for putting the date of the
10 notice letter and date of the publication in the
11 table of contents. It makes it easy to verify that
12 it's timely. Thank you.

13 All right. Any objections?

14 Not hearing any, your exhibits, in this
15 case, are admitted into evidence.

16 I turn to Mr. Garcia.

17 TECHNICAL EXAMINER GARCIA: No questions.

18 HEARING EXAMINER CHAKALIAN: Thank you.
19 Your case is taken under advisement.

20 MS. HARDY: Thank you.

21 HEARING EXAMINER CHAKALIAN: We move on to
22 COG Operating. This is Case 25164.

23 MS. VANCE: Good morning, Mr. Hearing
24 Examiner. Paula Vance, with the Santa Fe Office of
25 Holland & Hart, on behalf of the applicant, COG

1 Operating, LLC.

2 HEARING EXAMINER CHAKALIAN: Thank you,
3 Ms. Vance.

4 MS. LUCK: And Kaitlyn Luck on behalf of WR
5 NON-OP, LLC, and Chief ONG Capital, LLC.

6 HEARING EXAMINER CHAKALIAN: Okay. Thank
7 you, Ms. Luck. Are you just monitoring?

8 MS. LUCK: Yes. Thank you.

9 HEARING EXAMINER CHAKALIAN: Very good.
10 Ms. Vance.

11 MS. VANCE: Thank you, Mr. Hearing Examiner.
12 For this case, I want to give a little bit of
13 background, because I think it'll help provide some
14 context where we are.

15 So, there's actually an existing order
16 for this acreage that COG previously pooled. And
17 I'll go ahead and give the case numbers and the
18 order.

19 So, the original case was Case 23650.
20 And that order number is R-TAC-22859. That was
21 issued on September 10th, 2023. There was
22 subsequently a recent extension order. And that was
23 in Case 24745. And that extension order is
24 RTAC-22859 TAC-A. That was issued October 23rd,
25 2024.

1 And so there is an existing order.
2 However, why we're here is COG has changed their
3 plans slightly. Instead of doing stand-up wells,
4 their development is now U-turn wells. And so what
5 we are asking for, we want to go through and do the
6 pooling. And then once an order is issued, we would
7 just ask that that previously existing order is
8 extinguished and is replaced by the order that would
9 be issued in this case, Case Number 25164.

10 HEARING EXAMINER CHAKALIAN: Before you
11 continue, Ms. Vance, let's go to Mr. Garcia.

12 Mr. Garcia, were you aware of those
13 previous orders in cases?

14 TECHNICAL EXAMINER GARCIA: I was not.

15 HEARING EXAMINER CHAKALIAN: Okay. Does
16 that change anything for you?

17 TECHNICAL EXAMINER GARCIA: It does not, as
18 long as --

19 HEARING EXAMINER CHAKALIAN: Okay. Very
20 good.

21 TECHNICAL EXAMINER GARCIA: -- notice is
22 proper.

23 HEARING EXAMINER CHAKALIAN: As long as what
24 now?

25 TECHNICAL EXAMINER GARCIA: Notice was

1 proper.

2 HEARING EXAMINER CHAKALIAN: Okay.

3 MS. VANCE: Yes.

4 HEARING EXAMINER CHAKALIAN: Okay.

5 Ms. Vance, continue.

6 MS. VANCE: Thank you very much. Okay. So
7 I will go ahead and proceed with presenting the case.

8 So, in this case, Case Number 25164, COG
9 seeks an order that is approving, again, the
10 947-acre, more or less, nonstandard horizontal
11 spacing unit. This is for the Wolfcamp Formation,
12 and in the pool is the Purple Sage Wolfcamp gas pool.
13 Pool code is 98220. And this is underlying the south
14 half equivalent of irregular Section 30 and all of
15 irregular Section 31. And that's going to be
16 Township 23 South, Range 27 East, Eddy County, New
17 Mexico. And then keeping the same pooled parties'
18 uncommitted interests pooled.

19 And COG seeks to initially dedicate this
20 spacing unit, this nonstandard spacing unit, to the
21 Bat Bomb Fed Com 401H, 402H, 421H and 422H. And,
22 again, these are U-turn wells.

23 In this case, we have included a copy of
24 the application, provided the compulsory pooling
25 checklist, as well as the self-affirmed statement of

1 landman Shelley Klingler and geologist Jessica
2 Pontiff, both of whom have previously testified
3 before the Division. And their credentials have been
4 accepted as a matter of record.

5 Ms. Klingler's statement is Exhibit C.
6 And then I would like to point out in, Paragraphs 7
7 and 8, she provides some additional information of
8 the request for approval of the nonstandard spacing
9 unit.

10 And then also, I did want to note in her
11 sub-exhibits, Exhibit C-2, which is the pooling
12 exhibit, COG has reached -- or has received a
13 ratification, rather, from one of the overriding
14 royalty interest owners that it had sought to pool,
15 and that's LRF. And so we will follow up with an
16 amended or revised hearing packet showing that we're
17 no longer seeking to pool that party.

18 In addition to the standard sub-exhibits
19 on the land side, we have also included the NSP
20 offset map that shows the offsetting acreage and
21 interest owners that COG provided notice to.

22 And then following Ms. Klingler's
23 statement and exhibits is Ms. Pontiff's statement,
24 which is Exhibit D, along with the standard geology
25 exhibits.

1 And then Exhibit E is my self-affirmed
2 statement of notice, with a sample copy of the letter
3 regarding the pooling and request for the nonstandard
4 spacing unit. And that was sent out on January 24th,
5 2025.

6 And then the last thing there is
7 Exhibit F, which is the affidavit of notice of
8 publication, which was timely published on January
9 25th, 2025.

10 And unless there are any questions, I
11 would ask that the exhibits and sub-exhibits be
12 admitted into the record and that this case be taken
13 under advisement at this time.

14 HEARING EXAMINER CHAKALIAN: Thank you,
15 Ms. Vance.

16 Any objections?

17 MS. LUCK: No objections. Thank you.

18 HEARING EXAMINER CHAKALIAN: Thank you,
19 Ms. Luck.

20 The exhibits are admitted into evidence,
21 although I think I caught that you said you are going
22 to submit a revised exhibit packet. By when?

23 MS. VANCE: We can do that this afternoon.

24 HEARING EXAMINER CHAKALIAN: Today.

25 MS. VANCE: Yes.

1 HEARING EXAMINER CHAKALIAN: Okay. So we'll
2 leave the record open for the revised exhibit packet,
3 with a cover letter to explain that you're removing a
4 pooled party. Is that correct?

5 MS. VANCE: That's correct.

6 HEARING EXAMINER CHAKALIAN: All right.
7 Thank you.

8 Mr. Garcia.

9 TECHNICAL EXAMINER GARCIA: I don't think I
10 have any questions; maybe just clarification.

11 In the order that the Division issues,
12 are you seeking for that order to vacate the previous
13 orders? Or are you wanting those orders just to
14 expire on a timeline basis?

15 MS. VANCE: That would be fine, to do it
16 simultaneous. I just wanted to present that
17 information to see what would be administratively
18 easiest for the Division. So I'm fine with that, if
19 that works for the Division.

20 HEARING EXAMINER CHAKALIAN: You're fine
21 with what? There were two alternatives he gave you.

22 MS. VANCE: I'm sorry. The former. So if
23 in the order it can state that the existing order,
24 Order R-22859 TAC-A is extinguished and replaced by
25 the order that will be an issued in this case, that

1 works for us.

2 TECHNICAL EXAMINER GARCIA: No further
3 questions.

4 HEARING EXAMINER CHAKALIAN: Okay. Thank
5 you, Mr. Garcia.

6 So this case will be taken under
7 advisement once we get the revised exhibit packet.
8 Thank you, Ms. Vance.

9 MS. VANCE: Thank you.

10 HEARING EXAMINER CHAKALIAN: Okay. We're
11 going to move on to our next case. It looks like
12 it's Number 29 on our docket. It is Cimarex Energy's
13 Compulsory pooling case. Entries of appearance,
14 please.

15 MR. HOLLIDAY: Good morning, Mr. Hearing
16 Examiner. Ben Holliday on behalf of the applicant.

17 HEARING EXAMINER CHAKALIAN: Good morning,
18 Mr. Holliday, again. It says that it's joined to
19 25182. Did you dismiss 82?

20 MR. HOLLIDAY: 25182 was objected to by MRC,
21 and I believe it's been set for the March 27th
22 docket.

23 HEARING EXAMINER CHAKALIAN: Okay. Perfect.
24 March 27th for a status conference.

25 MR. HOLLIDAY: Yes, sir.

1 HEARING EXAMINER CHAKALIAN: Okay. Very
2 good.

3 Are there any other entries of
4 appearance in 81?

5 Any that you know of, Mr. Holliday?

6 MR. HOLLIDAY: I believe we had entries of
7 appearance. Let me check my compulsory pooling
8 checklist. We had an entry of appearance from EOG,
9 who did not enter an objection, but just an
10 appearance.

11 HEARING EXAMINER CHAKALIAN: Do you know who
12 the attorney is for EOG?

13 MR. HOLLIDAY: I believe it is --

14 HEARING EXAMINER CHAKALIAN: Ms. Kessler?

15 MR. HOLLIDAY: Yes, Ms. Kessler.

16 HEARING EXAMINER CHAKALIAN: Ms. Kessler,
17 are you going to enter an appearance today?

18 Okay. All right, Mr. Holliday.
19 Ms. Kessler is not entering an appearance today.

20 MR. HOLLIDAY: Okay. So in this case,
21 Cimarex seeks to pool an interval of the Bone Spring
22 Formation from the top of the Bone Spring to a depth
23 of 7,680 feet underlying a 640-acre standard
24 horizontal spacing unit comprised of the east half of
25 Sections 23 and 26, Township 25 South, Range 26 East

1 down in Eddy County.

2 The reason for bifurcating the Bone
3 Spring here, there's existing development in the
4 second Bone Spring underlying Section 35. So you
5 mentioned Case 25182, that's the companion case,
6 which we also filed. That case seeks to pool the
7 remainder of the Bone Spring, so 7,680 feet, to the
8 base of the Bone Spring into a 960-acre standard
9 spacing unit underlying the east half of Section 23,
10 26 and also Section 35.

11 So, as I mentioned before, that case was
12 objected to by MRC, and we're set for a status
13 conference on the 27th.

14 So this unit will be dedicated to the
15 Wigeon 2326 Fed Com wells.

16 In our exhibit packet filed last week,
17 we have provided the affidavits of landman Keaton
18 Curtis, and geologist -- I hope I don't mispronounce
19 this -- Cahill Kelleghan. Neither of these witnesses
20 have previously testified before the Division, and
21 both will need to be qualified as experts in their
22 respective fields.

23 HEARING EXAMINER CHAKALIAN: Mr. Holliday,
24 do you know if Mr. Curtis and Mr. Kelleghan are
25 available?

1 MR. HOLLIDAY: Yes, they should be.

2 HEARING EXAMINER CHAKALIAN: Let's get both
3 of them on the screen. I see Mr. Curtis and I see
4 Mr. Kelleghan.

5 All right. Would you both raise your
6 right hands, please? Okay.

7 Do you swear or affirm, under penalty of
8 perjury, that the testimony you're about to give is
9 the truth, the whole truth, nothing but the truth?

10 MR. CURTIS: I do.

11 MR. KELLEGHAN: I do.

12 HEARING EXAMINER CHAKALIAN: Okay. I see
13 both people have affirmed. Let's start with
14 Mr. Kelleghan. Would you state and spell your name
15 for the record.

16 MR. KELLEGHAN: Yeah. My name is Cahill
17 Kelleghan, spelled C-A-H-I-L-L. Last name is
18 K-E-L-L-E-G-H-A-N.

19 HEARING EXAMINER CHAKALIAN: What field of
20 expertise do you seek to be qualified before this
21 Division today?

22 MR. KELLEGHAN: I seek to be qualified in
23 the field of geology.

24 HEARING EXAMINER CHAKALIAN: Geology. Okay.
25 Tell me about, first, your education.

1 MR. KELLEGHAN: My first formal education
2 was four-year undergrad bachelor of science degree in
3 geology, where I studied at Colorado State
4 University. And I also did a two-year program, a
5 master's program, also in geology, at Colorado School
6 of Mines.

7 HEARING EXAMINER CHAKALIAN: And what year
8 did you graduate?

9 MR. KELLEGHAN: I graduated with my
10 undergraduate in 2017, and I finished my master's
11 degree in 2021.

12 HEARING EXAMINER CHAKALIAN: Okay. And then
13 what experience do you have that goes toward
14 petroleum geology?

15 MR. KELLEGHAN: I've done at least five
16 years now working both for an operator -- currently
17 with Coterra Energy as a petroleum geologist, as well
18 as working in a small consulting firm called Platte
19 River Associates, characterizing petroleum geology
20 with the --

21 HEARING EXAMINER CHAKALIAN: Are you frozen?
22 I can't tell if you're frozen. There you go. Okay.
23 We missed part of what you were saying. Let's just
24 break down these five years. You said with Coterra
25 Energy?

1 MR. KELLEGHAN: Correct. I've been with
2 Coterra Energy for four years now. And I'm a
3 geologist with them, working on active drilling
4 programs, taking in all their geologic data,
5 characterizing it for them and using that to make
6 business decisions for our company.

7 HEARING EXAMINER CHAKALIAN: Okay. And what
8 title do you hold with Coterra?

9 MR. KELLEGHAN: Geologist.

10 HEARING EXAMINER CHAKALIAN: Okay. So not
11 petroleum geologist, just geologist?

12 MR. KELLEGHAN: Yeah. Petroleum geologist
13 is what it is, but yeah, we just call it a geologist,
14 I suppose.

15 HEARING EXAMINER CHAKALIAN: Okay. Just
16 trying to be accurate. Okay. So, Mr. Kelleghan,
17 from here on in, you're qualified as an expert in
18 geology, petroleum geology, with this Division.

19 Let's turn now to Mr. Curtis.
20 Mr. Curtis, you heard the questions I asked
21 Mr. Kelleghan. Would you just give me the same
22 information.

23 MR. CURTIS: Yes, sir. And just a heads-up.
24 I just got a poor network quality notification on my
25 Teams. So if I space out, that's why.

1 HEARING EXAMINER CHAKALIAN: I understand.

2 MR. CURTIS: I have a four-year degree from
3 Texas Tech University in energy commerce. I
4 graduated in 2023. While in school, I did an
5 internship with Marathon Oil, out of their Houston
6 office, working their Eagle Ford asset. I was a
7 surface landman for them, so I worked on pipeline
8 right away and just cleaning up their surface
9 agreements.

10 I stayed on throughout my senior year as
11 a contract landman for them, where I continued my
12 work from the summer before accepting a position here
13 at Coterra as a subsurface landman, working minerals.

14 Since then, I've been here, from
15 graduation, so May of 2023 to present; so nearing two
16 years now.

17 And I started as a production
18 landman working on land-related duties as they relate
19 to wells after they come online. So plug and
20 abandonments, lease water reviews, AFEs, et cetera.

21 And currently, as an exploration landman
22 for Coterra, I am in charge of a region. So I cover
23 South and Southwest Eddy County. So I've got just a
24 conglomerate of our acreage that I oversee and manage
25 the land-related functions for.

1 HEARING EXAMINER CHAKALIAN: Thank you,
2 Mr. Curtis. That was very complete and I appreciate
3 it.

4 So you are a qualified as an expert in a
5 petroleum land matters before this Division from here
6 on in.

7 Mr. Holliday.

8 MR. HOLLIDAY: Okay. So in the exhibits
9 filed last week, Mr. Curtis provides the standard
10 land exhibits that we've shown in our table of
11 contents. That's A-1 through A-7.

12 One quick change. We found out this
13 morning that Coterra has come to an agreement with
14 CrownRock. CrownRock is currently listed as a party
15 to be pooled. So we're going to need to file an
16 admitted exhibit packet with a cover letter to remove
17 them from the list of parties to be pooled in this
18 case.

19 HEARING EXAMINER CHAKALIAN: Thank you,
20 Mr. Holliday.

21 MR. HOLLIDAY: Moving to Exhibit B,
22 Mr. Kelleghan, again, provides the standard geology
23 exhibit, Exhibits B-1 through B-5.

24 Exhibit C are my exhibits. That
25 includes the notice affidavit and the associated

1 attachments. Notice in this case was timely sent on
2 February 18, 2025, by certified mail. And we also
3 timely published by publication in Eddy County on
4 February 22nd, 2025.

5 So with that, unless there are any
6 questions, I request that the exhibits be admitted
7 and these cases be taken under advisement.

8 HEARING EXAMINER CHAKALIAN: Thank you,
9 Mr. Holliday.

10 Any objections?

11 Not hearing any, your exhibits are
12 admitted into evidence in your cases.

13 And we'll turn to Mr. Garcia.
14 Mr. Garcia, any questions for Mr. Curtis or
15 Mr. Kelleghan?

16 TECHNICAL EXAMINER GARCIA: Yes. But first
17 I would like to talk to Mr. Holliday about just some
18 typos on the checklist.

19 HEARING EXAMINER CHAKALIAN: Please.

20 TECHNICAL EXAMINER GARCIA: Mr. Holliday,
21 your pool is also incorrect. Yours is much easier to
22 say, so I can give it to you verbally if you have a
23 pen.

24 MR. HOLLIDAY: Yes.

25 TECHNICAL EXAMINER GARCIA: For Case 25181,

1 the pool should be Cottonwood Draw Bone Springs. And
2 that has a pool code of 97494.

3 MR. HOLLIDAY: Can you repeat the name of
4 that pool?

5 TECHNICAL EXAMINER GARCIA: Yeah, sorry. I
6 have allergies, like Ms. McLean does.

7 Cottonwood Draw Bone Springs.

8 MR. HOLLIDAY: Thank you.

9 TECHNICAL EXAMINER GARCIA: And then also in
10 your checklist, I noticed there's a lot of, like,
11 missing exhibits. For example, justification for
12 supervision cost is just blank next to it. And then
13 it has a few other things that are blank next to it,
14 such as, like, list of interest owners, contact with
15 interest owners.

16 There's kind of just a bunch of missing
17 exhibits in your checklist. Can we get those all
18 updated with the correct exhibit numbers in them?

19 MR. HOLLIDAY: You bet. We'll get that
20 taken care of when we file our admitted exhibit
21 packet today.

22 TECHNICAL EXAMINER GARCIA: And there's
23 others. I don't want to list them all because
24 there's a few, but if we could get that corrected.

25 MR. HOLLIDAY: I understand.

1 TECHNICAL EXAMINER GARCIA: And then
2 Mr. Examiner, can I use the witnesses as a panel?
3 Because I'm not sure who is best to answer my
4 question, I guess.

5 HEARING EXAMINER CHAKALIAN: By all means.

6 Mr. Holliday, any objection to the
7 witnesses answering questions as a panel?

8 MR. HOLLIDAY: No, sir.

9 HEARING EXAMINER CHAKALIAN: So,
10 Mr. Kelleghan and Mr. Curtis, just announce your name
11 when you decide if you're going to be the one to
12 answer the question.

13 Okay, Mr. Garcia. Thank you.

14 TECHNICAL EXAMINER GARCIA: I was looking at
15 PDF Page 55 of 72, which shows Case 25181 and its
16 sibling case, 182, which Mr. Holliday said was
17 objected to.

18 I guess my question on that is what is
19 the outcome of Case 181 if 182 stays objected to and
20 that ends in a contested hearing? Is 181 going to
21 proceed going forward on a joint schedule, or is it
22 paused?

23 MR. CURTIS: I can take this one, Cahill.

24 They will be drilled at the same time.
25 So the holdup at 182 will also hold up 181 in terms

1 of development.

2 HEARING EXAMINER CHAKALIAN: And that's
3 Mr. Curtis who answered this question.

4 MR. CURTIS: That is Mr. Curtis. That's
5 correct, yes, sir.

6 TECHNICAL EXAMINER GARCIA: And then there's
7 no depth severance here. You're only asking to
8 separate these cases because of existing production
9 in the area?

10 MR. CURTIS: Mr. Curtis answering here,
11 referring to myself in third person, Keaton Curtis.

12 But yes, so the reason that we did the
13 depth severance error is because in Section 35, under
14 Case 25182, there are existing second Bone Spring
15 wells. And under Case 25181, we are drilling second
16 Bone Spring.

17 So we separated the two because one
18 would be two and one would be three models. So just
19 for the sake of cleanliness and not pooling the same
20 zone twice in two different cases, we just went ahead
21 with the depth severance.

22 TECHNICAL EXAMINER GARCIA: Okay. Well, no
23 official depth severance exists with, like, the
24 county clerk or anything like that?

25 MR. CURTIS: That's correct.

1 TECHNICAL EXAMINER GARCIA: Mr. Curtis, are
2 there any issues on the landman side? I'm not a
3 landman. Are there any issues with the case, an
4 order being issued when a depth severance doesn't
5 exist, segregating the formation? Typically, the
6 Division has always issued a case segregating only
7 when depth severance exists. I guess I'm just kind
8 of curious. Is there any repercussions of doing
9 this?

10 MR. CURTIS: No. To the contrary. So the
11 repercussions exist if we were to keep them together
12 as one. So with those existing Bone Spring wells,
13 you've got the possibility that if you were to put
14 all of them into the same unit, then you'd be
15 allowing those owners in Section 35 to double dip
16 whenever they've already received the benefit of
17 production from second Bone Spring.

18 So this is just in an effort to make
19 sure that on the land side things are clean and that
20 we aren't over-counting owners that don't need credit
21 with ownership in the development.

22 TECHNICAL EXAMINER GARCIA: Okay. Is there
23 any desire of Coterra to continue these cases until
24 an outcome of 182 exists? Or are you still seeking
25 these to be taken under advisement? And if those

1 cases get delayed, are you seeking just extension of
2 the times, or, I guess, what's, kind of, Coterra's
3 thought process on this? It there an outcome with
4 EOG? I think EOG was the objecting case. Is there
5 an outcome on the horizon?

6 MR. CURTIS: Mr. Curtis answering here.

7 The outcome here, or the ideal outcome
8 here is that we're able to get 182 settled quickly.
9 However, MRC, who is the objecting party to 182, has
10 not expressed their reason for objections.

11 We tried several times now to get ahold
12 of them and to figure out just if there is a remedy
13 available and a short-term remedy available. So now
14 we are just working to get it resolved as quickly as
15 possible, whether that be outside of the OCD, it's
16 something that we can settle between offices, or
17 inside of the OCD and something that we can just
18 steamroll through the process as quickly as we can.

19 I think with the benefit of 181 having
20 the option, if we get to that point where we have to
21 apply for extensions for something, like 182 being
22 held up in a contested hearing, you know, that's
23 something, a route that we will explore. However,
24 I'm hopeful that we won't have to get there and we
25 can develop everything within the year.

1 TECHNICAL EXAMINER GARCIA: Okay. I believe
2 that's all my questions, Mr. Examiner.

3 HEARING EXAMINER CHAKALIAN: All right.
4 Thank you, Mr. Garcia. So with the amended exhibit
5 packet, can we take this case under advisement?

6 TECHNICAL EXAMINER GARCIA: I believe so.

7 MR. HOLLIDAY: Yes.

8 MR. CURTIS: Yes.

9 HEARING EXAMINER CHAKALIAN: Mr. Holliday, I
10 wasn't asking you. I was asking Mr. Curtis.

11 MR. HOLLIDAY: Well, I would like it to be.

12 HEARING EXAMINER CHAKALIAN: Yes, I know
13 what you would like. Yes, it's obvious.

14 Thank you, Mr. Garcia.

15 Okay. So, Mr. Holliday, how long for
16 you to file this corrected exhibit packet?

17 MR. HOLLIDAY: I should be able to get those
18 in today.

19 HEARING EXAMINER CHAKALIAN: End of the day.
20 Okay. So we'll leave the record open in this case,
21 25181, until the end of the day for the amended
22 exhibit packet.

23 Thank you, Mr. Kelleghan, Mr. Curtis,
24 for your testimony today.

25 And, Mr. Holliday, we're off the record

1 in this case.

2 TECHNICAL EXAMINER GARCIA: Thank you.

3 HEARING EXAMINER CHAKALIAN: Okay. We're
4 going to move on now, it looks like, to Matador. And
5 it looks like we have, I think, two cases, although
6 I'm not sure that they're joined. Maybe they are.
7 25183 and 25184. Entries of appearance, please.

8 MR. RANKIN: Mr. Hearing Examiner, this is
9 Adam Rankin appearing for Matador in those cases.
10 I'm going to ask if my colleague has a comment or
11 request regarding a case that was earlier presented,
12 if she may just interject for a moment.

13 HEARING EXAMINER CHAKALIAN: Okay. What
14 case do you want me to recall, Ms. Vance?

15 MS. VANCE: It's Case Number 25164, the Bat
16 Bomb, the U-turn cases that I just presented.

17 HEARING EXAMINER CHAKALIAN: Hold on. Let
18 me recall those cases. What case numbers are they?

19 MS. VANCE: It's just one case. It's Case
20 Number 25164.

21 HEARING EXAMINER CHAKALIAN: That's
22 Number 28 on our docket, COG Operating, 25164,
23 recalling. What can we do for you, Ms. Vance?

24 MS. VANCE: Yes, I apologize. I forgot one
25 note here. I actually needed to request to continue

1 this case to the April 10th docket.

2 You will see, if you look at my notice
3 list and compare it to my pooling, we have overrides
4 that we needed to send notice to. So I'd like to
5 just keep the record open, we're currently getting
6 all that notice out, and then just come back at the
7 April 10th docket to perfect notice.

8 And I have e-mailed Ms. Luck and let her
9 know that as well. And she just e-mailed me and said
10 that's fine.

11 HEARING EXAMINER CHAKALIAN: Okay. So let
12 me make some extra notes here. You were also going
13 to send in a revised exhibit packet as well.

14 MS. VANCE: Yes, that's correct. And I'd
15 like to hold off now. Instead of filing multiple
16 revised hearing packets, I'll hold off until we have
17 the notice.

18 HEARING EXAMINER CHAKALIAN: You were going
19 to move this case to which docket in April?

20 MS. VANCE: The April 10th docket. And
21 we'll file a motion to continue, if that works for
22 the Division.

23 HEARING EXAMINER CHAKALIAN: It does. And
24 this is just a cure notice?

25 MS. VANCE: That's correct.

1 HEARING EXAMINER CHAKALIAN: When would the
2 notice be cured? I mean, is there an earlier docket
3 we could move it to?

4 MS. VANCE: I would have to check with my
5 legal assistant.

6 HEARING EXAMINER CHAKALIAN: You'd rather
7 April 10?

8 MS. VANCE: I would rather.

9 HEARING EXAMINER CHAKALIAN: Okay. Let me
10 just make a note.

11 MS. VANCE: She's actually out sick right
12 now, so...

13 HEARING EXAMINER CHAKALIAN: Oh, it's fine.
14 Okay. So Case 25164, we'll hear it again on
15 April 10. We'll get a revised exhibit packet before
16 April 10, obviously. And we're off the record in
17 that case now.

18 MS. VANCE: Correct. Thank you.

19 HEARING EXAMINER CHAKALIAN: Mr. Rankin.

20 MR. RANKIN: Thank you, Mr. Hearing
21 Examiner.

22 As to Case Numbers 25183 and 25184, in
23 these cases, Matador are seeking to pool in 25183,
24 the north half, south half of Sections 3 and 4 in
25 Township 18 South, Range 33 East in Lea County.

1 And then in the companion case, 25184,
2 it's seeking to pool the south half, south half of
3 the same sections.

4 In both cases, Matador is seeking to
5 pool 320-acre spacing units comprised of the Bone
6 Spring Formation and to designate Matador Production
7 Company as the operator.

8 We filed last week Exhibits A through F.
9 Exhibit A is the compulsory pooling
10 checklist.

11 Exhibit B are the applications filed for
12 each case. Exhibit C is a landman statement from
13 Mr. Ethan Frasier. He's previously testified and has
14 been accepted as an expert in petroleum land matters
15 by the Division.

16 His exhibits, C-1 through C-5, are the
17 standard land exhibits, including the C-102s, the
18 land tracks, the ownership interests, the well
19 proposals, and AFEs and chronology of contacts for
20 each of the parties they're seeking to pool.

21 Exhibit D is a statement from Mr. Joshua
22 Burris. He's a geologist who has previously
23 testified before the Division and accepted as an
24 expert in petroleum geology. His exhibits, D-1
25 through D-3 are the standard geology exhibits and

1 show that both spacing units are appropriate for
2 horizontal development and that each tract will
3 contribute more or less equally to production.

4 Exhibit E is the attorney affidavit
5 demonstrating that we provided notice by certified
6 mail to each of the pooled parties, along with proof
7 of certified mailing.

8 Exhibit F is the affidavit of
9 publication for each case showing that notice was
10 properly and timely provided by publication, as well.

11 One thing I want to note, Mr. Examiner,
12 is we're going to have to file a revised exhibit
13 packet because we had C-102s that were incomplete.
14 And so we'll be filing a revised exhibit packet with
15 the completed C-102s. We should be able to get that
16 done later today.

17 HEARING EXAMINER CHAKALIAN: Thank you.

18 MR. RANKIN: But along with that will be an
19 updated compulsory pooling checklist that will have
20 the updates there. Basically, what was missing is
21 the surface -- the footage is for the surface
22 locations. So both the compulsory pooling checklists
23 and the C-102s for both cases will be updated and we
24 should be able to get that filed later today.

25 HEARING EXAMINER CHAKALIAN: Thank you,

1 Mr. Rankin.

2 MR. RANKIN: If there are no questions,
3 Mr. Examiner, we would move the admission of
4 Exhibits A through F and their attachments for both
5 of these cases and ask that, subject to our
6 supplementation of the revised compulsory pooling
7 checklist and C-102s, that both cases be taken under
8 advisement.

9 HEARING EXAMINER CHAKALIAN: Thank you,
10 Mr. Rankin.

11 Are there any objections?

12 Not hearing any, your exhibits are
13 admitted into evidence. Did you say Mr. Frasier and
14 Burris are both previously qualified as experts
15 before this Division?

16 MR. RANKIN: I did.

17 HEARING EXAMINER CHAKALIAN: Okay. Very
18 good. And what date was the notice letter sent out?

19 MR. RANKIN: The notice letter was sent out
20 on February 21st.

21 HEARING EXAMINER CHAKALIAN: Okay. Is that
22 timely?

23 MR. RANKIN: That is timely.

24 HEARING EXAMINER CHAKALIAN: All right.
25 Good. And the affidavit of publication?

1 MR. RANKIN: In both cases, the affidavit of
2 publication was published on February 25th.

3 HEARING EXAMINER CHAKALIAN: Okay. Thank
4 you.

5 Okay. So let's see if Mr. Garcia has
6 any questions for either Mr. Frasier or Burris in
7 these cases.

8 TECHNICAL EXAMINER GARCIA: No questions.

9 HEARING EXAMINER CHAKALIAN: Thank you,
10 Mr. Garcia.

11 So, Mr. Rankin, you said end of today,
12 and that's in both cases?

13 MR. RANKIN: Correct. Both cases, we need
14 to update the C-102s and the compulsory pooling
15 checklists. We should be able to get that done
16 today.

17 HEARING EXAMINER CHAKALIAN: We'll leave the
18 record open until 5 o'clock today for both cases for
19 an amended exhibit packet with cover letter, and then
20 we'll take these cases under advisement. Thank you.

21 MR. RANKIN: Thank you.

22 HEARING EXAMINER CHAKALIAN: Moving on to
23 AEP II Operating, LLC. These are multiple amendment
24 cases. They begin on Line 32 of our docket, 25185,
25 86, 96, 97, 98 and 99. Entry of appearance, please.

1 Your microphone, please.

2 MR. SAVAGE: Mr. Examiner, good morning,
3 Technical Examiners. Darin Savage, with Abadie &
4 Schill, appearing on behalf of the applicant, Alpha
5 Energy Partners II, LLC.

6 And I would just like to point out that
7 25185 and 25186 should be consolidated; they're a
8 little bit different. And then the remaining four
9 would be consolidated.

10 HEARING EXAMINER CHAKALIAN: So you'll
11 present 85 and 86, and then you'll present the other
12 cases?

13 MR. SAVAGE: Yes, sir.

14 HEARING EXAMINER CHAKALIAN: Okay. So are
15 there any other parties that you know of on these
16 cases?

17 MR. SAVAGE: Yes. There's one other party.

18 HEARING EXAMINER CHAKALIAN: Is it the
19 Harpers?

20 MR. SAVAGE: Well, the Harpers are --
21 there's Matador Production, I believe, will be making
22 an appearance. And I believe Mr. Harper showed up
23 this morning.

24 MS. VANCE: Good morning, Mr. Hearing
25 Examiner. Paula Vance, with the Santa Fe Office of

1 Holland & Hart, on behalf of Matador Production
2 Company.

3 HEARING EXAMINER CHAKALIAN: Matador
4 Production, have you entered an appearance in all of
5 the cases?

6 MS. VANCE: Yes, we have.

7 HEARING EXAMINER CHAKALIAN: Okay. And I
8 see Mr. Harper on the screen, and maybe Mrs. Harper
9 as well.

10 Mr. Harper, can you unmute yourself,
11 please? Mr. Harper, you look like you're happy to
12 have your wife there with you.

13 MR. HARPER: I am.

14 HEARING EXAMINER CHAKALIAN: Would you state
15 your name, please.

16 MR. HARPER: Darrell Harper.

17 HEARING EXAMINER CHAKALIAN: Darrell Harper.
18 Okay. And are you entering an appearance in all of
19 these cases or just some of these cases?

20 Okay. Now you have to speak up a little
21 bit and face the microphone when you -- or face the
22 screen when you speak so I can hear you, sir.

23 MR. HARPER: All of them.

24 HEARING EXAMINER CHAKALIAN: All of them.

25 Okay. Very good. And what is your interest in these

1 cases?

2 MR. HARPER: I'm an owner, interest owner.

3 HEARING EXAMINER CHAKALIAN: An interest
4 owner. Okay.

5 Mr. Savage, were you aware of the
6 Harpers?

7 MR. HARPER: Yes.

8 MR. SAVAGE: From our ownership records,
9 Mr. Harper would be owning in the north half, north
10 half, and that would be in Case 25199.

11 In the 25185 and 25186, the owners have
12 already been pooled, and we're pooling additional
13 parties discovered, and I do not believe he is in
14 that set of folks.

15 HEARING EXAMINER CHAKALIAN: Wait. He is or
16 is not?

17 MR. SAVAGE: Is not.

18 HEARING EXAMINER CHAKALIAN: Is not. Okay.
19 So from your research, the Harpers own in 25199 only?

20 MR. SAVAGE: 25199, yeah. That's the north
21 half, north half of that particular unit.

22 HEARING EXAMINER CHAKALIAN: Okay.

23 Mr. Harper and Mrs. Harper, did you hear that?

24 MR. HARPER: Well, yes, sir. I do have four
25 notices here from Alpha.

1 HEARING EXAMINER CHAKALIAN: You have four
2 notices from what? I'm sorry.

3 MR. HARPER: From Alpha.

4 HEARING EXAMINER CHAKALIAN: Alpha. Okay.
5 So four notices. When you say "four notices," are
6 they identified? Do they identify case numbers or
7 tract or land descriptions?

8 MR. HARPER: Case number.

9 HEARING EXAMINER CHAKALIAN: Case number.
10 Can you give me the case numbers?

11 MR. HARPER: 25185, 25186 --

12 HEARING EXAMINER CHAKALIAN: Okay.

13 MR. HARPER: -- 19, 25196, 25197, 25198,
14 25199.

15 HEARING EXAMINER CHAKALIAN: All right. Let
16 me repeat that, because it's very hard to hear you,
17 Mr. Harper. It would be much better if, when you're
18 speaking, you could face the screen and speak a
19 little louder.

20 I heard that you have a notice from Case
21 Number 85, 86. And then did you say 99 and 98?

22 MR. HARPER: 96, 97, 98, 99.

23 HEARING EXAMINER CHAKALIAN: Oh, well,
24 that's -- okay. That's more than four. So then
25 you're saying you've gotten notices in six cases?

1 MR. HARPER: Yes, sir.

2 HEARING EXAMINER CHAKALIAN: Mr. Savage.

3 MR. SAVAGE: Yeah, that's interesting. I
4 discussed this with the landman last night and we
5 were trying to figure it out. So, you know, maybe --
6 apparently, he received notices, but I can point out
7 that -- so, Mr. Harper has a very small interest.

8 HEARING EXAMINER CHAKALIAN: Okay.

9 MR. SAVAGE: And I discussed with the
10 landman, and we'd be willing to take him off the
11 pooling list and negotiate with him. And I believe
12 he had interest in a previous case involving the
13 Alpha's Hollywood Star, which was a contested case
14 here. And I know that they successfully negotiated
15 the lease with him.

16 So if he's open to this, we can take him
17 off the pooling list. And we can revise our hearing
18 packet and continue negotiations with him.

19 HEARING EXAMINER CHAKALIAN: Okay. And
20 before I go back to Mr. Harper, do we have your
21 landman here?

22 MR. SAVAGE: We do.

23 HEARING EXAMINER CHAKALIAN: And what is the
24 name?

25 MR. SAVAGE: Riley Morris.

1 HEARING EXAMINER CHAKALIAN: Would you turn
2 on your camera, please? There we go. Okay. Good.

3 Mr. Morris, would you state and spell
4 your name for the record. Please?

5 MR. MORRIS: Riley Morris. R-I-L-E-Y,
6 M-O-R-R-I-S.

7 MR. SAVAGE: Would you raise your right
8 hand, please. Do you swear or affirm, under penalty
9 of perjury, that the testimony you're about to give
10 is the truth, the whole truth, nothing but truth?

11 MR. MORRIS: I do.

12 HEARING EXAMINER CHAKALIAN: Thank you.

13 Can you help us understand which cases
14 the Harpers received notice on?

15 MR. MORRIS: Yes, sir. They should have
16 received notice in 25185 and 25199.

17 HEARING EXAMINER CHAKALIAN: Only?

18 MR. MORRIS: Yes, sir. And so I think that
19 that was an error on the duplication.

20 HEARING EXAMINER CHAKALIAN: I see.

21 MR. MORRIS: Our notice list was built off
22 of everyone that had received a well proposal, and
23 those well proposals covered multiple wells.

24 HEARING EXAMINER CHAKALIAN: I see. Okay.
25 Mr. Harper, Mrs. Harper, did you hear that?

1 MR. HARPER: Yes.

2 HEARING EXAMINER CHAKALIAN: Okay. Do you
3 have any questions for this witness about your notice
4 or about your interest in these cases?

5 MR. HARPER: Well, like he pointed out,
6 we're willing to negotiate our interest.

7 HEARING EXAMINER CHAKALIAN: Okay. What I
8 think I heard you say -- again, Mr. Harper, it's very
9 hard to understand you. If you could do whatever you
10 can to help us understand you. I want to have a
11 clean record here.

12 What I heard was that you're willing to
13 negotiate. Is that what you said?

14 MRS. HARPER: Yes.

15 HEARING EXAMINER CHAKALIAN: Okay. Thank
16 you, Mrs. Harper.

17 So, Mr. Savage, Mr. Morris, you
18 understand what the Harpers -- so it looks like,
19 based on what Mr. Morris testified to, this case is
20 85 and 99. We need revised exhibit documents to
21 remove the Harpers from the compulsory pool
22 checklist.

23 Mr. Morris, anything further on that?

24 MR. MORRIS: No, sir.

25 HEARING EXAMINER CHAKALIAN: Thank you. All

1 right. Mr. Morris, why don't you stay with us,
2 because I don't know if Mr. Garcia is going to have
3 questions in these cases. So just hang tight.

4 Mr. And Mrs. Harper?

5 MRS. HARPER: Yes.

6 HEARING EXAMINER CHAKALIAN: Before we
7 continue, do you have anything else you want to ask
8 either the attorney who represents AEP or Mr. Morris?

9 MRS. HARPER: Do you have any more
10 questions?

11 MR. HARPER: Not particularly. I'm just the
12 owner of Harper Gas & Oil. That's all.

13 HEARING EXAMINER CHAKALIAN: Mr. Harper, why
14 don't we do this. Why don't you mute your microphone
15 now. If you want to say something else, unmute your
16 microphone and let me know, and we'll pick up with
17 you.

18 MRS. HARPER: Just for the record, he wanted
19 to establish himself as Harper Gas & Oil.

20 HEARING EXAMINER CHAKALIAN: Okay. Thank
21 you.

22 Okay. Mr. Savage, please proceed.

23 MR. SAVAGE: Yes, thank you.

24 Cases 25185 and 25186 cover lands in
25 Sections 19 and 20 and Township 22 South, Ranges 27

1 East, Eddy County, New Mexico.

2 The landman, who you've met, Riley
3 Morris, has testified previously before the Division
4 and his credentials have been accepted as an expert
5 witness in petroleum land matters.

6 The geologist, Jason McClain, has
7 testified previously before the Division and his
8 credentials have been accepted as a matter of record
9 as an expert in geology.

10 In Case Number 25185, Alpha seeks an
11 order pooling additional uncommitted mineral owners
12 interests, and that would be pooled under a previous
13 existing order, R-23006, for the Wolfcamp Formation,
14 designated as a gas pool underlying a standard
15 634.36-acre, more or less, spacing unit comprised of
16 the south half of Section 19 and 20.

17 And we would also like to designate
18 Paloma Permian Asset Company, LLC, as the operator,
19 as referenced in the application.

20 The unit will be dedicated to the Dude
21 2019 Fee wells as initial wells. Orientation of the
22 wells and unit are lay down east to west, and the
23 location of the wells are orthodox.

24 Mr. Morris' Exhibit A includes his
25 landman self-affirmed statement, C-102s, ownership

1 breakdown, updated well proposals with AFEs, and that
2 were sent out to all the owners in the unit, the
3 chronology of contacts for the additional parties
4 pooled.

5 Mr. Morris also included the chronology
6 of contacts with the original working interest owners
7 for reference to show that the negotiations have been
8 accomplished across the board for both the additional
9 owners and the previous owners or the original
10 owners.

11 Mr. McClain's Exhibit B for this case
12 includes his self-affirmed statement, along with
13 seven geology exhibits showing potential for
14 development. Exhibit C provides a self-affirmed
15 statement of notice for mailings and a publication
16 notice. Notice was timely mailed on February 20th,
17 2025, and timely published on February 22nd, 2025.

18 The next case, 25186, Alpha seeks an
19 order pooling additional uncommitted mineral
20 interests under Order R-23005 in the Wolfcamp
21 Formation underlying a standard 634.28-acre, more or
22 less, spacing unit comprised of the north half of
23 Sections 19 and 20 and designating Paloma Permian
24 Asset Co., LLC, as the operator.

25 The unit will be dedicated to the Dude

1 2019 Fee wells as initial wells. Orientation of the
2 wells and unit are lay down east to west, and the
3 location of the wells are orthodox.

4 Again, Mr. Morris' Exhibit A includes
5 all the standard landman exhibits, statements,
6 C-102s, ownership and updated well proposal letter
7 with AFE and the chronology of contacts for the
8 additional parties pooled, as well as chronology of
9 contacts, with the original working interest owners
10 for reference.

11 Mr. McClain's Exhibit B for this case
12 includes his statement, along with the seven geology
13 exhibits. Exhibit C provides the self-affirmed
14 statement of notice for mailings and publication
15 notice. Notice was timely mailed on February 20th,
16 2025, and timely published on February 22nd, 2025.

17 Mr. Hearing Examiner, at this time I
18 move that Exhibits A, B and C and all sub-exhibits be
19 admitted into the record for Cases 25185 and 25186
20 and the cases be taken under advisement.

21 Witnesses as well as counsel are
22 available for questions.

23 HEARING EXAMINER CHAKALIAN: Are there any
24 objections?

25 MS. VANCE: No objections. But I did want

1 to say on the record that Matador entered its
2 appearance to preserve its rights.

3 HEARING EXAMINER CHAKALIAN: To what?

4 MS. VANCE: To preserve its rights.

5 HEARING EXAMINER CHAKALIAN: Thank you.

6 Mr. Savage, I see that you filed an
7 amended hearing packet, it looks like, yesterday.
8 There's a brief description here. It says Alpha has
9 amended the hearing packet to include a revised
10 Exhibit A-3 that includes AFEs for the proposed wells
11 and to include Exhibit A-4.1, communication log for
12 pooled parties from Case Number 22172.

13 Were the AFEs not included in the
14 original?

15 MR. SAVAGE: That was an oversight.

16 HEARING EXAMINER CHAKALIAN: I see. All
17 right. Okay. I understand perfectly.

18 So, Mr. Savage, there's no objections
19 for these exhibits, so they're admitted into evidence
20 in both cases.

21 And we'll go to Mr. Garcia to see if he
22 has questions for either the landman or the
23 geologist.

24 TECHNICAL EXAMINER GARCIA: I do for
25 possibly a panel again.

1 HEARING EXAMINER CHAKALIAN: Let's get
2 Mr. McClain on the screen along with Mr. Morris.

3 Mr. McClain, are you with us?

4 MR. MCCLAIN: Yes. Yes, I'm here, sir.

5 HEARING EXAMINER CHAKALIAN: Please raise
6 your right hand. Do you swear or affirm, under
7 penalty of perjury, that the testimony you're about
8 to give is the truth, the whole truth, nothing but
9 truth?

10 MR. MCCLAIN: I do.

11 HEARING EXAMINER CHAKALIAN: Would you state
12 and spell your name, please.

13 MR. MCCLAIN: Jason McClain, J-A-S-O-N,
14 M-C-C-L-A-I-N.

15 HEARING EXAMINER CHAKALIAN: Thank you. You
16 can put your hand down.

17 You've been previously qualified before
18 this Division in what expertise?

19 MR. MCCLAIN: In geology.

20 HEARING EXAMINER CHAKALIAN: In geology.

21 And, Mr. Morris, you've been previously
22 qualified as an expert as a petroleum landman?

23 MR. MORRIS: Yes, sir.

24 HEARING EXAMINER CHAKALIAN: All right.

25 Thank you.

1 Mr. Garcia.

2 TECHNICAL EXAMINER GARCIA: I think my first
3 question is for Mr. Morris.

4 You guys are seeking to designate a
5 farm-out company, Paloma, as a farm-out. There was
6 no objection from any of the previous interest owners
7 on changing the applicant -- or the operator?

8 MR. MORRIS: No, sir.

9 TECHNICAL EXAMINER GARCIA: Okay. And is
10 that just a recent development with Paloma on a
11 farm-out agreement, coming to terms?

12 MR. MORRIS: We came to terms with them on
13 July of 2024 and then have amended our applications
14 to make sure that everyone is aware that they are
15 designated as the operator.

16 TECHNICAL EXAMINER GARCIA: And then Paloma
17 is aware that they'll be responsible for everything
18 with these wells, spills, flaring, venting,
19 et cetera?

20 MR. MORRIS: Yes, sir.

21 TECHNICAL EXAMINER GARCIA: My next question
22 might be the panel question, so if you could state
23 your name before answering for the record.

24 It looks like we are adding what I will
25 call the 700 wells and the 800 wells to each case.

1 Is that correct?

2 MR. MORRIS: The 800 wells are added
3 Wolfcamp wells. The 700 wells were previously called
4 the 201 through 204H wells.

5 TECHNICAL EXAMINER GARCIA: Okay. So you're
6 changing the well number then?

7 MR. MORRIS: Yes, sir. We're renaming the
8 201s to the 701 and so on and so forth.

9 TECHNICAL EXAMINER GARCIA: I see. That's
10 where I was confused. Thank you for that. Bear with
11 me one second so I can make that note.

12 Okay. And then last question I have is,
13 the addition of the 800 wells, what's the reasoning
14 behind those?

15 MR. MORRIS: Those are lower Wolfcamp
16 targets, which we found to be prospective in this
17 area. That's probably more of a Jason question, so
18 I'll let him speak to that, you know, if needed.

19 TECHNICAL EXAMINER GARCIA: Please do.

20 MR. MCCLAIN: Yeah, the lower zone of the
21 Wolfcamp, the 800 wells, there's a zone of higher
22 porosity in what, through my interpretation, is the
23 lower Wolfcamp-B, looked as a prospective target and
24 we worked those wells up.

25 TECHNICAL EXAMINER GARCIA: So these are

1 just more research into the area coming to terms?

2 MR. MCCLAIN: Yes, that's correct.

3 TECHNICAL EXAMINER GARCIA: I believe that's
4 all my question, Mr. Examiner.

5 HEARING EXAMINER CHAKALIAN: Okay.
6 Mr. Garcia.

7 Mr. Savage, are you amending anything or
8 is the amended exhibit packet that you filed
9 yesterday the final packet?

10 MR. SAVAGE: I believe the one yesterday
11 will be the final packet.

12 But let me ask Mr. Barton back here. I
13 got the name wrong, I thought he was associated with
14 the Harper Group, but apparently it's a separate
15 person and group. So he would need to make -- I'd
16 like for him to make an entry of appearance into this
17 to address any concerns that he might have regarding
18 these cases. And I apologize for the late entry on
19 that.

20 HEARING EXAMINER CHAKALIAN: Okay. Now,
21 you've only presented two cases so far, 85 and 86.
22 So you're saying that there's another party to enter
23 an appearance on those two cases?

24 MR. SAVAGE: Yes.

25 HEARING EXAMINER CHAKALIAN: Well, we're not

1 hearing anything. Are these the cases that you're
2 here for? Would you like to come up and let us know
3 that? Would you sit at one of these tables.

4 Ms. Vance, would you show him what
5 button to press to turn the microphone on?

6 Would you state and spell your name for
7 the record.

8 MR. BARTON: Yes, sir. Roy G. Barton,
9 Junior, B-A-R-T-O-N. I'm here representing myself,
10 my wife, Claudia Rizzi Barton. Also, the Roy G.
11 Barton, Senior, and Opal Barton Revocable Trust. And
12 an individual, Norma J. Chanley, C-H-A-N-L-E-Y, all
13 the parties of Hobbs, New Mexico.

14 HEARING EXAMINER CHAKALIAN: Are you
15 objecting to anything that you've heard so far?

16 MR. BARTON: Yes, sir. There's several more
17 cases here we haven't mentioned.

18 HEARING EXAMINER CHAKALIAN: We'll get to
19 them, sir. But on the two cases that we've heard
20 that end in 85 and 86.

21 MR. BARTON: Yeah. Objecting to the premise
22 of operating off the threat of being force pooled,
23 rather than operating with a joint operating
24 agreement.

25 We participate in lots of wells and

1 we're always under a JOA, which works good for
2 everybody. But operating under duress of threat
3 penalties and whatnot, I don't think the company is
4 acting in good faith.

5 HEARING EXAMINER CHAKALIAN: Okay. All
6 right. Let's take that apart a little bit. So did
7 you receive notice in these two cases?

8 MR. BARTON: Yes.

9 HEARING EXAMINER CHAKALIAN: In both cases?

10 MR. BARTON: Yes.

11 HEARING EXAMINER CHAKALIAN: Okay. Very
12 good.

13 So, Mr. Savage, it sounds like
14 Mr. Morris knew about -- Mr. Morris, you're in charge
15 of notice, aren't you?

16 MR. MORRIS: Yes, sir.

17 HEARING EXAMINER CHAKALIAN: I thought so.
18 You heard what Mr. Barton just said?

19 MR. MORRIS: Yes, sir, I did.

20 HEARING EXAMINER CHAKALIAN: Okay. And is
21 there any reason why you didn't negotiate with him
22 before putting him on the list for compulsory
23 pooling?

24 MR. MORRIS: No, sir. All the conversations
25 and correspondence we had with Mr. Barton was that he

1 would like to participate in the wells as a part of
2 Paloma being the Farmee. They've taken the lead on
3 negotiating JOAs with all parties. And that's
4 certainly something that we'd still be open for
5 Mr. Barton to do.

6 Given the number of interest owners in
7 here, we've tried to move these forward in a timely
8 manner. But definitely still are open to joinder via
9 a voluntary agreement under a JOA.

10 HEARING EXAMINER CHAKALIAN: Okay. So are
11 you saying that you have been communicating with
12 Mr. Barton?

13 MR. MORRIS: I've received a few e-mails,
14 mainly related around well data. And then we've also
15 received some of their elections back. To date, I
16 think we've received elections on all wells that they
17 own an interest in, and those elections have been to
18 participate.

19 HEARING EXAMINER CHAKALIAN: And when you
20 say "to participate," for someone like myself who's
21 not as familiar as maybe Mr. Barton is, what does
22 that mean, to participate?

23 MR. MORRIS: To participate means that
24 they have agreed to pay their proportionate share of
25 well costs and so they would like to, you know,

1 exercise their rights as a working interest owner.

2 HEARING EXAMINER CHAKALIAN: Well,
3 Mr. Barton is saying that he'd prefer to negotiate a
4 JOA or some sort of an agreement with you instead of
5 being compulsory pooled.

6 Now, when you say "to participate," do
7 you mean to participate in a compulsory pooling?

8 MR. MORRIS: It's just to participate in the
9 wells. So I think that's the first designation, and
10 then under either a pooling order, which Mr. Barton
11 was previously pooled in the south half Wolfcamp
12 case, or under JOA. And, you know, like I said, we
13 are open to Mr. Barton signing the JOA.

14 HEARING EXAMINER CHAKALIAN: All right.
15 Mr. Barton.

16 MR. BARTON: Yes, sir.

17 HEARING EXAMINER CHAKALIAN: Can you move a
18 little closer to the microphone so I can hear you.

19 Mr. Barton, do you have anything to say,
20 based on what Mr. Morris just said?

21 MR. BARTON: Well, no. He's pretty
22 accurate. But we have -- this group has submitted
23 close to a million dollars advance payments for
24 advanced wells -- wells, number of wells. I think
25 one well has been drilled so far.

1 We would ask the Commission to order the
2 company to refund those monies that are in suspense
3 pending future wells, put us under a JOA, we pay our
4 way as we go.

5 HEARING EXAMINER CHAKALIAN: Okay. So,
6 first of all, Mr. Barton, you're in front of the
7 Division, you're not in front of the Commission at
8 this point.

9 MR. BARTON: Yes.

10 HEARING EXAMINER CHAKALIAN: And,
11 Mr. Savage, I don't know about this ordering them to
12 do -- is there some sort of an agreement or is there
13 some sort of a -- what Mr. Barton is asking, how is
14 that dealt with? I mean, is that a court matter or
15 is that a Division matter?

16 MR. SAVAGE: So, how I would view this is
17 that they were preliminary negotiations and they were
18 made in good faith. Somehow, they weren't
19 consummated in the way that Mr. Barton wanted them to
20 be consummated. So, that's why Mr. Barton's on the
21 pooling list.

22 Now, you can enter a JOA at any time,
23 even if you're pooled. And I don't know if
24 Mr. Morris knows how much interest we're talking
25 about, but in terms of requiring a refund, those are

1 those are all private matters. That would be between
2 Alpha and Mr. Barton to work out. And if, you know,
3 things became difficult, I think, you know, you have
4 some options, such as District Court and that kind of
5 thing. But the OCD would not be involved in that.

6 HEARING EXAMINER CHAKALIAN: Mr. Morris, do
7 you know of this million dollars that Mr. Barton is
8 talking about?

9 MR. MORRIS: I'm assuming that that's tied
10 to the three Wolfcamp wells in the south half under
11 Case 25185. And that would be the estimated expenses
12 for all drilling, completing and equipping operations
13 on those three wells, which all three of those wells
14 have been drilled and are awaiting completion.

15 As I've referenced before, Paloma has
16 been taking the lead on the cash-call function under
17 the pooling orders and the negotiation of JOAs. So I
18 can definitely get with Paloma and Mr. Barton and see
19 if we can work out an arrangement to have him sign a
20 JOA and then look at what are the costs up to date
21 and potentially refund the portions that haven't been
22 spent yet.

23 HEARING EXAMINER CHAKALIAN: Perfect. Thank
24 you, Mr. Morris.

25 Mr. Barton, did you hear all that?

1 MR. BARTON: Yes, sir. That would work
2 fine.

3 HEARING EXAMINER CHAKALIAN: Okay. That
4 sounds good.

5 Okay. Yeah, please, Mr. Morris, it
6 sounds like maybe you should step in between Paloma
7 and Mr. Barton. Maybe something has gone crosswise
8 there.

9 Okay. Let's see. So you've entered an
10 appearance. You're not objecting to this case or
11 these two cases moving forward by affidavit. Is that
12 right?

13 MR. BARTON: That's correct.

14 HEARING EXAMINER CHAKALIAN: Okay. Okay.
15 And you've understood that Mr. Morris is going to
16 help you with Paloma?

17 MR. BARTON: Yes.

18 HEARING EXAMINER CHAKALIAN: You understand
19 what some of your options are.

20 MR. BARTON: Yes, sir.

21 HEARING EXAMINER CHAKALIAN: So do you feel
22 satisfied?

23 MR. BARTON: Yes, sir.

24 HEARING EXAMINER CHAKALIAN: Okay. That's
25 what I want to make sure.

1 All right. So, Mr. Savage, I think you
2 already told me you don't need to submit anything
3 else for these two cases, and Mr. Garcia asked his
4 questions. I don't have any further questions, so
5 these two cases are taken under advisement and we're
6 off the record in these two.

7 Would you please present 697, 98 and 99
8 in a very summary fashion. Let's move this along.

9 MR. SAVAGE: Yes, sir.

10 HEARING EXAMINER CHAKALIAN: Thank you.

11 MR. SAVAGE: Cases 25196, 25197, 98, 99,
12 cover lands in Sections 19 and 20 in Township 22
13 South, Range 27 East, Eddy County.

14 Again, the landman, Riley Morris, is
15 available, and the geologist, Jason McClain, is
16 available. Both have been accepted. Their
17 credentials have been accepted as expert witnesses.

18 Alpha seeks orders for the Bone Spring
19 in these cases. The units are stacked across the two
20 sections such that in Case 25196, Alpha seeks to pool
21 the south half, south half.

22 In Case 25197, Alpha seeks to pool the
23 north half, south half.

24 In Case 25198, Alpha seeks to pool the
25 south half, north half.

1 And in 25199, Alpha seeks to pool the
2 north half, north half.

3 The units will be dedicated to the Dude
4 2019 Fee wells as initial wells. And Paloma Permian
5 Asset Co., LLC, is listed as the designated operator.

6 In each case, Mr. Morris has his
7 standard landman exhibits, C-102s, ownership
8 statement, well proposal, chronology of contacts.

9 And in each case, Mr. McClain has an
10 Exhibit B that includes his standard geology
11 exhibits. He actually has 10 geology exhibits, so
12 this is pretty comprehensive.

13 And then in each case, there is an
14 Exhibit C that provides for the self-affirmed
15 statement of notice for mailings and publication
16 notice. Notice was timely, mailed on February 20th
17 and timely published on February 22nd.

18 At this time, I move the Exhibits A, B,
19 and C and all sub-exhibits be admitted to the record
20 for all four cases and the cases be taken under
21 advisement.

22 Thank you, Mr. Savage.

23 Are there any objections?

24 Not hearing any, the exhibits in these
25 four cases are admitted into evidence.

1 Mr. Savage, I'm not looking at the
2 imaging system at the moment. Did you file any
3 amended exhibit packets in any of those four cases?
4 And while you're looking, Mr. Savage.

5 Mr. Barton, did you receive notice in
6 these cases?

7 MR. BARTON: Yes.

8 HEARING EXAMINER CHAKALIAN: In all four
9 cases?

10 MR. BARTON: Yes.

11 HEARING EXAMINER CHAKALIAN: Okay. Very
12 good. Are you entering an appearance in these four
13 cases?

14 MR. BARTON: Yes, sir.

15 HEARING EXAMINER CHAKALIAN: Okay. Very
16 good. So, please state that on the record.

17 MR. BARTON: All right. Yeah.

18 HEARING EXAMINER CHAKALIAN: Well, go ahead
19 and state it.

20 MR. BARTON: Cases 25185 and 86 --

21 HEARING EXAMINER CHAKALIAN: No, no. We've
22 dealt with those; those cases are finished.

23 Now we're dealing with cases that end in
24 96, 97, 98 and 99.

25 MR. BARTON: Okay. Yes. 25196, 25197,

1 25198, 25199, Yes, I did receive them.

2 HEARING EXAMINER CHAKALIAN: Okay. Enter an
3 appearance, please.

4 MR. BARTON: Yes.

5 HEARING EXAMINER CHAKALIAN: Well, no, don't
6 say yes. Say your name and that you're entering an
7 appearance on these four cases.

8 MR. BARTON: Yes, Roy G. Barton, Junior,
9 appearing on these four cases.

10 HEARING EXAMINER CHAKALIAN: Thank you, sir.

11 Now, Mr. Savage, did you find out if
12 you --

13 MR. SAVAGE: Yeah, we have just the original
14 exhibits. There was no amended exhibits.

15 HEARING EXAMINER CHAKALIAN: No amended
16 exhibit packet in any of these four cases?

17 MR. SAVAGE: That's correct.

18 HEARING EXAMINER CHAKALIAN: Okay. Very
19 good.

20 Okay. Mr. Barton, we are proceeding
21 with these cases now. And I'm going to first go to
22 Mr. Garcia, he's our technical examiner, to see if he
23 has any questions for the witnesses in these four
24 cases. Then I'll give you an opportunity.

25 Mr. Garcia.

1 TECHNICAL EXAMINER GARCIA: I have one
2 question. Mr. Savage, I'll send you an e-mail with
3 the corrected pool code for these cases as well. It
4 should be the Cass Draw Bone Spring. I can follow up
5 with an e-mail because the spelling is a little weird
6 on it. Mr. Examiner, do the Harpers also need to
7 make an appearance in these cases? I believe
8 Mr. Savage alluded to these cases earlier.

9 Mr. and Mrs. Harper, I've called four
10 cases, which I'm not sure you entered an appearance
11 on yet. I'm not sure if you have an ownership
12 interest in these cases either. Do you want to turn
13 your microphone on and let me know?

14 MR. HARPER: All right. I'm here.

15 HEARING EXAMINER CHAKALIAN: Go ahead, sir.

16 MR. HARPER: Darrell Harper, interest owner,
17 Case Number 25196, 97, 98, 99.

18 HEARING EXAMINER CHAKALIAN: Very good.
19 Thank you, Mr. Harper and Mrs Harper.

20 Okay. Mr. Garcia, we have an entry of
21 appearance from the Harpers and with the Bartons.

22 TECHNICAL EXAMINER GARCIA: I have no
23 further technical questions on these cases.

24 HEARING EXAMINER CHAKALIAN: Okay. Can
25 these cases be taken under advisement from the

1 Division's perspective?

2 TECHNICAL EXAMINER GARCIA: Yes, sir. Okay.
3 Very good.

4 Mr. and Mrs. Harper, do you have any
5 questions for either the landman or the geologist in
6 these four cases?

7 MRS. HARPER: Do you have any questions?

8 MR. HARPER: We do have interest in all of
9 them. I mean, work.

10 HEARING EXAMINER CHAKALIAN: Hold on,
11 Mr. Harper.

12 Mr. Morris, are you aware of the
13 Harpers' interest?

14 MR. MORRIS: Yes, sir. They own in Case
15 25199.

16 HEARING EXAMINER CHAKALIAN: Only?

17 MR. MORRIS: Yes, sir.

18 HEARING EXAMINER CHAKALIAN: Okay. I
19 thought that's what you said earlier. Okay. Very
20 good. But you are aware of their interest.

21 MR. MORRIS: Yes, sir. And I would like to
22 correct the record.

23 HEARING EXAMINER CHAKALIAN: Yes.

24 MR. MORRIS: Whenever I referenced their
25 interest earlier, I inadvertently said Case 25185.

1 It should be 25186, the north half case in the
2 Wolfcamp.

3 HEARING EXAMINER CHAKALIAN: Okay. So the
4 record will reflect that the Harpers own, according
5 to you, an interest in 86 and 99 only.

6 MR. MORRIS: Yes, sir.

7 HEARING EXAMINER CHAKALIAN: Okay. And are
8 they on your compulsory pooling list or do you have a
9 JOA with them?

10 MR. MORRIS: They are on the compulsory
11 pooling list, but we will be removing them and
12 negotiating the lease.

13 HEARING EXAMINER CHAKALIAN: Okay. Very
14 good.

15 So, Mr. Savage, it sounds like you do
16 need to file an amended exhibit packet to remove the
17 Harpers from the compulsory pooling list in both 86
18 and 99.

19 MR. SAVAGE: Yes, sir. Yes.

20 HEARING EXAMINER CHAKALIAN: So, we're not
21 going to take those cases under advisement yet, but
22 we'll leave the record open when you think you'll
23 file the amended exhibit list.

24 MR. SAVAGE: If you would just give us a
25 couple days. I mean, end of tomorrow.

1 HEARING EXAMINER CHAKALIAN: Okay. So,
2 Mr. Morris, you heard the deadline. It'll be
3 tomorrow, 5 o'clock Mountain Standard Time.

4 MR. MORRIS: Yes, sir.

5 HEARING EXAMINER CHAKALIAN: For the amended
6 exhibits. Okay. Very good.

7 With cover letter, Mr. Savage, please.

8 MR. SAVAGE: Yes.

9 HEARING EXAMINER CHAKALIAN: And now,
10 Mr. Morris, what about the Bartons? Are they on your
11 compulsory pooling list for the four cases we're
12 dealing with now?

13 MR. MORRIS: They were noticed on all four
14 cases, but their ownership interest lies in 25196.

15 HEARING EXAMINER CHAKALIAN: Okay. Okay.

16 MR. MORRIS: As previously discussed, we
17 will be reaching out to them to negotiate their
18 joinder under a JOA.

19 HEARING EXAMINER CHAKALIAN: So does that
20 mean you need to file an amended exhibit packet
21 removing the Barton's from 96, or not?

22 MR. MORRIS: No, sir. I'd still like to
23 keep them on the list for now.

24 HEARING EXAMINER CHAKALIAN: That's fine.
25 That's fine. I'm was just trying to figure out what

1 we're getting amended and what we're not and who owns
2 what.

3 All right. So, Mr. Barton, what I have
4 learned from Mr. Morris is that you have an ownership
5 in -- of these four cases now that we're just talking
6 about, that you have an ownership in Case Number 96
7 only, not 97, 98 or 99. If you received notice in
8 those cases, I believe Mr. Morris is saying that that
9 might have been an error.

10 MR. BARTON: All right. Thank you.

11 HEARING EXAMINER CHAKALIAN: Of course I'm
12 not a court. I don't decide these things. I'm just
13 going by the testimony.

14 All right. And that they are going
15 to -- at this point, they're leaving you on the
16 compulsory pooling list that they're submitting to
17 the Division in Case Number 96. But they're going
18 to, as in the other cases, reach out to you through
19 Paloma and negotiate something with you.

20 MR. BARTON: Yes sir.

21 HEARING EXAMINER CHAKALIAN: Okay. You
22 understand that?

23 MR. BARTON: Yes, sir.

24 HEARING EXAMINER CHAKALIAN: So is there any
25 objection on your part to moving forward on these

1 cases?

2 MR. BARTON: No, not at all.

3 HEARING EXAMINER CHAKALIAN: No objection.

4 Thank you.

5 Okay. I believe we're going to take
6 these cases under advisement, Mr. Savage.

7 So if I'm not mistaken, are you revising
8 anything in Case 85?

9 MR. SAVAGE: No.

10 HEARING EXAMINER CHAKALIAN: No. So 85 is
11 taken under advisement.

12 In 96, 97 and 98 are you revising
13 anything?

14 MR. SAVAGE: No.

15 HEARING EXAMINER CHAKALIAN: Okay. Very
16 good.

17 MR. SAVAGE: Oh, yes, 96.

18 HEARING EXAMINER CHAKALIAN: 96, what are
19 you doing there?

20 MR. SAVAGE: No, no, no, we're not. I'm
21 sorry. Yeah, we're not.

22 HEARING EXAMINER CHAKALIAN: Okay.

23 MR. SAVAGE: But in 99 --

24 HEARING EXAMINER CHAKALIAN: Well, I haven't
25 gotten there.

1 MR. SAVAGE: Yes, sir.

2 HEARING EXAMINER CHAKALIAN: So we're taking
3 96, 97 and 98 under advisement.

4 MR. SAVAGE: Yes.

5 HEARING EXAMINER CHAKALIAN: We're leaving
6 the record open till tomorrow, close of business, for
7 Case Numbers 86 and 99 to receive amended exhibit
8 packets. And at that point, we will take those under
9 advisement.

10 MR. SAVAGE: Yes, sir. Thank you.

11 HEARING EXAMINER CHAKALIAN: We are of the
12 record in these six cases.

13 Thank you, Mr. Barton.

14 Thank you, Mr. and Mrs. Harper, for your
15 participation.

16 And thank you, Mr. Morris and
17 Mr. McClain, for your testimony.

18 It's time to move on. I think
19 Mr. Fordyce is ready to go back to the original two
20 cases for Avant to proceed with the amended exhibit
21 packet. So before I start in on Line 38, let's go
22 back to Lines 1 and 2. These are Avant compulsory
23 pooling cases, 24872 and 24873. We're back on the
24 record in those cases.

25 Mr. Fordyce, we had the presentation

1 already. We don't need to have that again. Do you
2 have any questions based on your review?

3 TECHNICAL EXAMINER FORDYCE: Yeah. I have
4 questions for the landman.

5 HEARING EXAMINER CHAKALIAN: Okay. Very
6 good.

7 Mr. Holliday, I don't remember the name
8 of the landman.

9 MR. HOLLIDAY: Yes, sir. Landman is Ashley
10 St. Pierre.

11 HEARING EXAMINER CHAKALIAN: Oh, okay. Is
12 that person with us?

13 MR. HOLLIDAY: Yes, should be.

14 MS. ST. PIERRE: Yes, I'm here.

15 HEARING EXAMINER CHAKALIAN: Okay. Very
16 good. Good morning, Ms. St. Pierre. Would you raise
17 your right hand, please?

18 Do you swear or affirm, under penalty of
19 perjury, that the testimony you're about to give is
20 the truth, the whole truth, nothing but truth?

21 MS. ST. PIERRE: Yes, I do.

22 HEARING EXAMINER CHAKALIAN: Okay. Very
23 good. Will you state and spell your name for the
24 record.

25 MS. ST. PIERRE: Ashley St. Pierre,

1 A-S-H-L-E-Y, S-T period, P-I-E-R-R-E.

2 HEARING EXAMINER CHAKALIAN: Thank you. And
3 have you been previously qualified as an expert
4 before this Division?

5 MS. ST. PIERRE: Yes, I have.

6 HEARING EXAMINER CHAKALIAN: In what field?

7 MS. ST. PIERRE: Petroleum land management.

8 HEARING EXAMINER CHAKALIAN: Thank you.

9 Mr. Fordyce.

10 TECHNICAL EXAMINER FORDYCE: Good morning.

11 I'm looking at Page 18 of the new exhibit packet.

12 And on Paragraph 14, it says Avant is requesting some
13 overhead charges of \$8,000 a month for drilling and
14 \$800 a month for producing, which does not match what
15 is in the checklist. And so I was asking for
16 clarification on that point.

17 MS. ST. PIERRE: We can amend the checklist
18 to bring it down to what matches in Paragraph 14.

19 TECHNICAL EXAMINER FORDYCE: So what is in
20 Paragraph 14 is correct then?

21 MS. ST. PIERRE: Yes.

22 HEARING EXAMINER CHAKALIAN: Thank you.

23 Just above that, in Paragraph 13, you mentioned that
24 there was notice published in the Carlsbad

25 Current-Argus. And I believe this application is for

1 Lea County.

2 MS. ST. PIERRE: Yes, it is for Lea County.

3 TECHNICAL EXAMINER FORDYCE: I believe the
4 notice was in the Hobbs paper. So this is just a
5 typo, I believe, that needs to be corrected.

6 MS. ST. PIERRE: I am unfamiliar with that.
7 The original publication was handled by the Avant
8 team before the acquisition by Coterra. And I can
9 double check with them to verify if that's a typo, or
10 if they did publish in the Carlsbad paper.

11 MR. HOLLIDAY: Mr. Technical Examiner, it's
12 Ben Holliday. That is just a typo. This was
13 published in the Hobbs News-Sun on September 22nd,
14 2024.

15 TECHNICAL EXAMINER FORDYCE: Okay. Thank
16 you.

17 I'm looking now, beginning on Page 22
18 for Case 24872, the C-102, the C-102s that are in the
19 exhibit packet. If you scroll down, I see a C-102
20 for the 6H, the 7H, the 7H, again, the 8H, and we
21 seem to be missing a C-102 for the 9H.

22 MR. HOLLIDAY: Yes, sir. Again, Ben
23 Holliday. I was endeavoring to get these submitted
24 before the hearing started, and I just copied the
25 wrong file in. So I can amend that really quickly.

1 TECHNICAL EXAMINER FORDYCE: On Page 85,
2 this is actually Exhibit B-4 from the geologist. The
3 original application for Case 24873 had four wells,
4 the 301, 302H, 303H, 304H in the first sand of the
5 Bone Spring; 501H, 502H in the second sand; the 601H,
6 602H, 603H, 604H in the third sand.

7 And then in the first exhibit packet
8 that I reviewed, the four wells in that east half
9 were dropped. And now we have a new exhibit packet
10 with the four 600 series wells in the third Bone
11 Springs being dropped, and the 303H and the 304H in
12 the first Bone Spring being added back in. Is that
13 correct?

14 MR. HOLLIDAY: Mr. Hearing Examiner, I
15 believe Mrs. Frey is on the line and available to
16 answer. But that my understanding is that that is
17 correct.

18 TECHNICAL EXAMINER FORDYCE: The question
19 that I have, since I haven't been following this
20 case, was there were objections to the case and now
21 we have a new exhibit packet with the 303H and 304H
22 being added back in. Were any of the objections
23 related to those wells?

24 MR. HOLLIDAY: I'm not aware of the nature
25 of the objections. All the objections were -- some

1 were due to other cases. Some were due to wanting to
2 work out JOAs. And all of those objections have been
3 long resolved.

4 TECHNICAL EXAMINER FORDYCE: But not related
5 to the wells that were in the application or that
6 were dropped or that were added back in?

7 MR. HOLLIDAY: I'm not sure of the nature of
8 the objection. But the full suite of wells that
9 would be pooled in this case were noticed and
10 everyone was aware of them.

11 TECHNICAL EXAMINER FORDYCE: Could I just
12 request, then, a correction to this exhibit? In the
13 bottom left, there's no label for a well. Could we
14 just have that corrected, have the label added back
15 in?

16 MR. HOLLIDAY: Yes, sir.

17 TECHNICAL EXAMINER FORDYCE: So now I'm
18 looking at Page 6, looking at the checklist. So the
19 landman just testified that the rates here for
20 drilling and production need to be corrected.

21 MS. ST. PIERRE: Ashley St. Pierre. Yes,
22 that's correct.

23 TECHNICAL EXAMINER FORDYCE: Just below the
24 drilling and production rates, again, there's a blank
25 for justification for supervision costs in the

1 checklist. If we could add something there to point
2 to the exhibit that covers that.

3 MR. HOLLIDAY: Yes, sir.

4 TECHNICAL EXAMINER FORDYCE: And aside from
5 the missing C-102 in Case 24872, if we could make the
6 same corrections to both cases.

7 MR. HOLLIDAY: Yes, sir.

8 HEARING EXAMINER CHAKALIAN: So,
9 Mr. Holliday, would you just go down the list and
10 tell Mr. Fordyce, so that he and I both know what you
11 are amending in your exhibit packet?

12 MR. HOLLIDAY: In the forthcoming to be
13 submitted?

14 HEARING EXAMINER CHAKALIAN: In your second
15 amended packet, yes.

16 MR. HOLLIDAY: My second amended packet.
17 Yes, sir.

18 We will be correcting B-4 to add a label
19 to the Wolfcamp well to the west side.

20 We will be amending the compulsory
21 pooling checklist to reflect the drilling supervision
22 and production costs in line with Exhibit A-2.

23 And we will be referencing Exhibit A-2
24 just below that and the justification for supervision
25 costs.

1 HEARING EXAMINER CHAKALIAN: Mr. Fordyce,
2 does that cover it?

3 TECHNICAL EXAMINER FORDYCE: And we are
4 missing the C-102 --

5 MR. HOLLIDAY: Yeah, C-102.

6 TECHNICAL EXAMINER FORDYCE: -- for the 9H
7 well in Case 24872.

8 MR. HOLLIDAY: And we will change the
9 reference to the Carlsbad Argus to the Hobbs Sun.

10 HEARING EXAMINER CHAKALIAN: Mr. Fordyce,
11 does that cover it?

12 TECHNICAL EXAMINER FORDYCE: Yes, I believe
13 that covers it. Thank you.

14 HEARING EXAMINER CHAKALIAN: All right.
15 Mr. Holliday, how long will it take for you to file
16 these amended exhibit packets?

17 MR. HOLLIDAY: I can have them by the end of
18 the day.

19 HEARING EXAMINER CHAKALIAN: End of the day.
20 Is that in both cases or just one?

21 MR. HOLLIDAY: I believe both cases will
22 require tweaks to the compulsory pooling. I think
23 that same exhibit packet for B-4 is in both, so
24 they'll both need to be resolved.

25 HEARING EXAMINER CHAKALIAN: Okay. So we'll

1 leave the record open in both cases until the end of
2 today, expecting a second amended exhibit packet.
3 The hearing clerk will remove redundant material once
4 we get that, and then we'll take these cases under
5 advisement.

6 Is that okay, Mr. Fordyce?

7 TECHNICAL EXAMINER FORDYCE: Yes, that is
8 fine. Thank you, sir.

9 HEARING EXAMINER CHAKALIAN: Mr. Holliday,
10 anything further?

11 MR. HOLLIDAY: Nothing further. Thank you,
12 guys.

13 HEARING EXAMINER CHAKALIAN: Thank you. Who
14 is Gus?

15 MR. HOLLIDAY: Thank you all.

16 HEARING EXAMINER CHAKALIAN: Okay. Thank
17 you, Ms. St. Pierre, for your testimony.

18 We're going to go back now to Line 38 on
19 our docket. Let me pull that back up again.

20 Thank you, Mr. Fordyce.

21 TECHNICAL EXAMINER FORDYCE: Thank you.

22 HEARING EXAMINER CHAKALIAN: We are calling
23 WPX Energy Permian cases. There are four of them,
24 25200, 01, 02, 03. Can we have these presented in a
25 cursory fashion, please, Mr. Savage?

1 MR. SAVAGE: Yes. Darin Savage, with
2 Abadie & Schill, appearing on behalf of WPX Energy
3 Permian, LLC.

4 HEARING EXAMINER CHAKALIAN: Are there any
5 other parties that you know of, Mr. Savage?

6 MR. SAVAGE: Not that I know of.

7 HEARING EXAMINER CHAKALIAN: Please proceed.

8 MR. SAVAGE: Cases 25200 through 25203
9 covers land Section 32 and 33 in Township 23 South,
10 Range 26 East, Eddy County.

11 The landman is Andy Bennett. He's been
12 accepted as an expert witness in land matters. And
13 the geologist, Joe Dixon, has also been accepted as
14 an expert witness in geology.

15 These four cases, in each case, WPX
16 seeks an order pooling all uncommitted interests in
17 the Bone Spring Formation underlying a standard
18 320-acre, more or less, spacing unit comprised of --
19 and so, these are stacked and they go down. So the
20 north half, north half of the two sections; the south
21 half, north half of the two sections; the north half,
22 south half of the two sections; and the south half,
23 south half of the two sections. That's 32 and 33.
24 That's the configuration of the units. The units in
25 these cases will be dedicated to the Frontier 3332

1 Fed Com wells as the initial wells.

2 Mr. Bennett's Exhibit A includes his
3 landman statements and all the standard landman
4 exhibits, C-102s, ownership breakdown, well proposal
5 AFEs and chronology of contacts in each case.

6 And Mr. Dixon's Exhibit B for each case
7 includes his self-affirmed statement, along with five
8 standard geology exhibits.

9 Exhibit C in each case provides the
10 self-affirmed statement of notice for mailings and
11 publication. Notice was timely mailed on February
12 20th, and publication was published on February 22nd
13 in a timely manner.

14 At this time, Mr. Hearing Examiner, I
15 move that Exhibits A, B and C and all sub-exhibits be
16 admitted into the record in these four cases, and
17 that the cases be taken under advisement.

18 Witnesses and counsel are available for
19 questions.

20 HEARING EXAMINER CHAKALIAN: Thank you,
21 Mr. Savage.

22 Are there any objections?

23 Not hearing any, your exhibits in all
24 four cases are admitted into evidence.

25 I have one question. You had filed an

1 amended prehearing statement correcting the name of
2 your geologist. Is it Joe Dixon?

3 MR. SAVAGE: It's Joe Dixon. Okay.

4 HEARING EXAMINER CHAKALIAN: Because that's
5 the name on your exhibit list, so I wondered what you
6 were correcting, but that's fine.

7 MR. SAVAGE: Yes, that's correct.

8 HEARING EXAMINER CHAKALIAN: Mr. Garcia, are
9 there any questions for any of these four cases?

10 TECHNICAL EXAMINER GARCIA: No questions.

11 HEARING EXAMINER CHAKALIAN: Thank you, sir.

12 These cases are taken under advisement,
13 Mr. Savage.

14 MR. SAVAGE: Thank you.

15 HEARING EXAMINER CHAKALIAN: Thank you.

16 All right. Let's move on now to
17 Lines 42 and 43, Steward Energy amendment for Orders
18 R-23160 and 61. Entries of appearance, please.

19 MS. MCLEAN: Yes. Jackie McLean, with Hardy
20 & McLean, on behalf of Steward Energy.

21 HEARING EXAMINER CHAKALIAN: Okay. Please
22 proceed.

23 MS. MCLEAN: Thank you. In Case Numbers
24 25208 and 25209, Steward seeks an order approving a
25 one-year extension of time to commence drilling the

1 wells authorized under Order Numbers R-23160 and 61.

2 And good cause exists for this extension
3 of time because Steward is in the process of
4 evaluating drilling results from offset acreage in
5 order to determine optimal well spacing for the area.
6 So they'd like some additional time to evaluate that.
7 So they're seeking an extension until April 17, 2026.

8 The exhibit packets submitted for the
9 cases include land testimony and exhibits from Cooper
10 Newlan, who has been previously designated as an
11 expert in petroleum land matters.

12 The packets also contained notice
13 testimony exhibits, including the notice letter,
14 which was sent February 20, 2025, and an affidavit of
15 publication for February 26, 2025.

16 So unless there are any questions, I ask
17 that the exhibits submitted for these cases be
18 admitted into the record and the cases be taken under
19 advisement.

20 HEARING EXAMINER CHAKALIAN: Thank you,
21 Ms. McLean.

22 Are there any objections?

23 The exhibits in these two cases are
24 admitted into evidence.

25 Mr. Garcia, do you have any questions?

1 TECHNICAL EXAMINER GARCIA: No questions.

2 HEARING EXAMINER CHAKALIAN: Excellent.

3 Thank you.

4 Thank you, Mr. Newlan and Ms. McLean.

5 These two cases will be taken under advisement.

6 We now move on to Line 44. We're not
7 sure if this is going to be joined with any other
8 case, so I guess I'll call just 25210.

9 MS. MCLEAN: Yes, that's correct. It's just
10 this one case. And Jackie McLean, on behalf of
11 Steward.

12 HEARING EXAMINER CHAKALIAN: Are there any
13 other parties that you know of?

14 MS. MCLEAN: No.

15 HEARING EXAMINER CHAKALIAN: Please proceed.

16 MS. MCLEAN: Thank you. In this case,
17 Stewart is also seeking a one-year extension of time
18 to commence drilling the well authorized by Order
19 Number R-23144, which was issued on April 12, 2024,
20 and pooled uncommitted interests in the San Andreas
21 Formation in the west half, west half of Sections 22
22 and 27, Township 13 South, Range 38 East in Lea
23 County, and dedicated this unit to the Pest Control
24 Fee 6H well.

25 Good cause exists to extend the deadline

1 because, again, Stewart is looking to evaluate
2 drilling results from offset acreage to determine
3 optimal well spacing in this spacing unit.

4 The exhibit packet submitted also
5 includes land testimony exhibits from Cooper Newlan,
6 and notice testimony exhibits, including a notice
7 letter that was sent on February 20, 2025, an
8 affidavit of publication for February 26, 2025.

9 So unless there's questions, I ask that
10 the exhibit submitted for Case Number 25210 be
11 admitted into the record and the case be taken under
12 advisement.

13 HEARING EXAMINER CHAKALIAN: Are there any
14 objections?

15 These exhibits are admitted into
16 evidence.

17 Mr. Garcia.

18 TECHNICAL EXAMINER GARCIA: No questions.

19 HEARING EXAMINER CHAKALIAN: This case is
20 taken under advisement.

21 Calling Line 45, 25211. Entry of
22 appearance.

23 MS. MCLEAN: Thank you, yes. Jackie McLean
24 again on behalf of Steward Energy. And there's no
25 other parties.

1 HEARING EXAMINER CHAKALIAN: Thank you.

2 MS. MCLEAN: In Case 25211, Steward again
3 applies for an order approving a one-year extension
4 of time to commence drilling the well authorized by
5 Order Number R-23146. And, again, good cause exists
6 so that Steward can evaluate the drilling results
7 from offset acreage before determining the well
8 spacing in the area.

9 The exhibit packet submitted for this
10 case includes land testimony, exhibits from Cooper
11 Newlan, and notice testimony and exhibits. Again, a
12 notice letter that was sent out on February 20th,
13 2025, and an affidavit of publication for February
14 26th, 2025.

15 So I ask that the exhibits submitted for
16 Case 25211 be admitted into the record and the case
17 be taken under advisement.

18 HEARING EXAMINER CHAKALIAN: Are there any
19 objections?

20 These exhibits are admitted into
21 evidence.

22 Mr. Garcia, any questions?

23 TECHNICAL EXAMINER GARCIA: No questions.

24 HEARING EXAMINER CHAKALIAN: This case is
25 taken under advisement. Thank you, Ms. McLean.

1 MS. MCLEAN: Thank you.

2 HEARING EXAMINER CHAKALIAN: Calling Matador
3 Production Company II, compulsory pooling Cases
4 25212, 25213. Entry of appearance, please.

5 MS. VANCE: Good morning, Mr. Hearing
6 Examiner. Paula Vance, with the Santa Fe Office of
7 Holland & Hart, on behalf of the applicant Matador.

8 HEARING EXAMINER CHAKALIAN: Thank you. Any
9 other parties that you know of?

10 MS. VANCE: No.

11 HEARING EXAMINER CHAKALIAN: Thank you.
12 Please proceed.

13 MS. VANCE: Thank you.

14 So I'll do these sort of separately, but
15 they are consolidated. One is Bone Spring, the other
16 is Wolfcamp.

17 So in Case Number 25212, Matador seeks
18 to pool the south half of the southeast quarter of
19 Section 35 and the south half of the south half of
20 Section 36, Township 22 South, Range 28 East, in
21 Lot 4 in the southeast quarter of the southwest
22 quarter, which is the south half of the southwest
23 quarter equivalent, of irregular Section 31. And
24 that's Township 22 South, Range 29 East. And all of
25 that acreage is in Eddy County, New Mexico. And

1 Matador seeks to dedicate that spacing unit initially
2 to the Mama Joe 3531 Fed Com 134H.

3 And then the other case is Case Number
4 25213, and Matador seeks to pool the southeast
5 quarter of Section 35 and the south half of
6 Section 36, Township 22 South, Range 28 East, and
7 Lots 3 and 4 in the east half of the southwest
8 quarter. That would be the southwest quarter
9 equivalent of irregular Section 31, and that's
10 Township 22 South, Range 29 East, and that acreage
11 again is all in Eddy County, New Mexico. And Matador
12 seeks to initially dedicate that spacing unit to the
13 Mama Joe 3531 Fed Com 204H.

14 And that Bone Spring spacing unit in
15 Case 25212, the pool is the Culebra Bluff Bone Spring
16 south, and the pool code is 15011.

17 And then the pool for Case Number 25213,
18 it's actually two pools. Sections 35 and 36 are in
19 the Purple Sage Wolfcamp gas pool, and that pool code
20 is 98220. And then Section 31 is in a Wildcat pool
21 that has yet to be assigned by the Division.

22 With that in mind, Matador has the
23 spacing, and the take points are all in accordance
24 with the statewide gas rules.

25 In these cases, we have included a copy

1 of the applications, provided the compulsory pooling
2 checklists, as well as the self-affirmed statements
3 of landman Ethan Frasier and geologist Joshua Burris,
4 both of whom have previously testified before the
5 Division and their credentials have been accepted as
6 a matter of record.

7 Mr. Frasier, his statement is Exhibit C,
8 and includes all of the standard sub-exhibits.

9 I do want to go ahead and note on the
10 record that I am going to file a revised hearing
11 packet in Case Number 25213. Matador reached
12 agreement with one of the parties originally it
13 sought to pool, and that party is Granite Ridge
14 Holdings, LLC. So we'll go ahead and file that
15 revised hearing packet, reflecting that they are no
16 longer being pooled. And I can do that this
17 afternoon because I already have that exhibit.

18 And then Mr. Burris' statement is
19 Exhibit D and includes all the standard sub-exhibits
20 for geology.

21 Then we have Exhibit E, which is my
22 self-affirmed statement of notice with a sample
23 letter of the notice that went out on February 21st,
24 2025.

25 And then the Exhibit F, the last exhibit

1 there, is the Affidavit of Notice of Publication,
2 which was timely published on February 27th, 2025.

3 The other thing that I did want to note
4 is that in the heading, in the title of each of these
5 applications, initially we have in there, you will
6 see, and I'm going to get to it, that it's an
7 application for approval of an overlap. Matador is
8 sending out that notice separately from the
9 compulsory pooling, so we would just request to have
10 that dropped, that request dropped from the
11 applications.

12 And unless there are any questions, I
13 would ask that the exhibits and sub-exhibits be
14 admitted into the record and that the cases be taken
15 under advisement.

16 HEARING EXAMINER CHAKALIAN: Are there any
17 objections?

18 The exhibits are admitted into evidence.
19 And I understand that one of the cases will have a
20 revised exhibit packet filed by the close of business
21 today. What about the other one?

22 MS. VANCE: Nothing on that one.

23 HEARING EXAMINER CHAKALIAN: Mr. Garcia, are
24 there any questions?

25 TECHNICAL EXAMINER GARCIA: No questions.

1 HEARING EXAMINER CHAKALIAN: Thank you.

2 So we can take one case under
3 advisement. Which case is that?

4 MS. VANCE: That would be 25212.

5 HEARING EXAMINER CHAKALIAN: 25212. 25213
6 will remain open until close of business today and
7 then we will take that under advisement if we get
8 your amended exhibit package.

9 Is anything further?

10 MS. MCLEAN: Nothing on that.

11 HEARING EXAMINER CHAKALIAN: We're in recess
12 on those cases. And we're almost finished today. We
13 have two cases left. We have an EOG Resources case.
14 This is 25214. It's Line 48 on our docket.

15 Entry of appearance.

16 MS. VANCE: Good morning, Mr. Hearing
17 Examiner. Paula Vance, with the Santa Fe Office of
18 Holland & Hart, on behalf of the applicant EOG
19 Resources.

20 HEARING EXAMINER CHAKALIAN: Are there any
21 other parties, Ms. Vance?

22 MS. VANCE: No.

23 HEARING EXAMINER CHAKALIAN: Would you
24 present this in a cursory format, please?

25 MS. VANCE: Yes, absolutely.

1 So EOG is requesting an extension for
2 this case. They are still waiting for federal
3 permits. The only thing additional that we have
4 provided, along with Ms. Laci Stretcher, who is the
5 landman, she has previously testified, she has
6 provided an updated pooling exhibit. And she does
7 explain in I believe it's Paragraph 7 of her
8 statement just the updates that are being included.

9 Other than that, we have Exhibit D,
10 which is my self-affirmed statement of notice, with
11 the letters that timely went out on February 21st,
12 2025. And then the affidavit of notice of
13 publication that went out on January 29th, 2025. I
14 believe that's right. Let me just double check.

15 HEARING EXAMINER CHAKALIAN: Thank you.

16 MS. VANCE: That was not right. It was
17 February 25th, 2025.

18 And unless there are any questions, I
19 would ask that the curing packet be taken under
20 advisement at this time.

21 HEARING EXAMINER CHAKALIAN: Thank you,
22 Ms. Vance.

23 Are there any objections?

24 The exhibits are admitted into evidence.

25 Are there any questions, Mr. Garcia?

1 TECHNICAL EXAMINER GARCIA: No questions.

2 HEARING EXAMINER CHAKALIAN: The case is
3 taken under advisement. I don't believe we need an
4 amended hearing packet to change that date because
5 the publication is correct.

6 MS. VANCE: That was just my statement. I
7 was incorrect. Nothing to correct.

8 HEARING EXAMINER CHAKALIAN: You corrected
9 it on the record, so we're good.

10 MS. VANCE: Yes, that's right.

11 HEARING EXAMINER CHAKALIAN: Okay. Last
12 case of the day, Mewbourne Oil. This is an amendment
13 to Order Number 23511, Case Number 25215. Entry of
14 appearance, please.

15 MS. HARDY: Dana Hardy, with Hardy McLean,
16 on behalf of Mewbourne Oil Company.

17 HEARING EXAMINER CHAKALIAN: Are there any
18 other parties that you know of?

19 MS. HARDY: There are not.

20 HEARING EXAMINER CHAKALIAN: Okay. Please
21 proceed.

22 MS. HARDY: Thank you. In this case,
23 Mewbourne seeks to amend Order Number R-23511 with
24 respect to the initial wells that will be drilled
25 under the order. The order pooled uncommitted

1 interest in the Bone Spring underlying a 1,920-acre
2 nonstandard horizontal spacing unit, comprised of
3 Sections 10, 11 and 12, Township 20 South, Range 27
4 East in Eddy County. The order dedicated the unit to
5 the Shark Week 1210 Fed Com 622H and 624H wells.

6 Mewbourne now seeks to drill the Shark
7 Week 626 and 628 wells as the initial wells under the
8 order, and has moved -- they're in a different
9 location within the nonstandard unit from the
10 original wells. So that's why we filed this
11 application. And Mewbourne does hold 99.5 percent of
12 the working interest in this spacing unit. So we're
13 only pooling a very small percentage here.

14 The exhibit packet includes the land
15 testimony and exhibits of Braxton Blanford, and the
16 geology testimony and exhibits of Charles Crosby.
17 Both have previously testified and been recognized as
18 experts before the Division.

19 We've provided our notice testimony and
20 exhibits, which show that the notice letter was sent
21 on February 19th, 2025, and that notice was timely
22 published on February 27th, 2025.

23 So with that, I ask that the exhibits be
24 admitted and that the case be taken under advisement.

25 HEARING EXAMINER CHAKALIAN: Are there any

1 objections?

2 The exhibits are admitted into evidence.

3 Mr. Garcia.

4 TECHNICAL EXAMINER GARCIA: No questions.

5 HEARING EXAMINER CHAKALIAN: Thank you.

6 Your case is taken under advisement.

7 Thank you for a very successful docket,
8 everyone. We're off the record.

9 Thank you, Mr. Baca.

10 (Proceedings adjourned.)

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RE: NM EMNRD OIL CONSERVATION DIVISION, 3/13/25

REPORTER'S CERTIFICATE

I, PAUL BACA, CCR #112, DO HEREBY CERTIFY that on March 13, 2025, the proceedings in the above-captioned matter were taken before me; 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 (unless excepted by the rules) 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.

Paul Baca

PAUL BACA
NEW MEXICO CCR #112
Commission Expires: 12/31/25

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