

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

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

Case Nos. 23177, 23179, 23327,
23328, 23345, 23614, 23615,
23616, 23617, 23688, 23775,
23795, 23796, 23797, 23798,
23953, 23959, 24005, 24006,
24018, 24019, 24020, 24021,
24022, 24023, 24024, 24025,
24026, 24027, 24030

VIDEOCONFERENCE HEARING

DATE: Thursday, December 21, 2023
TIME: 8:15 a.m.
LOCATION: Remote Proceeding
Santa Fe, NM 87505
REPORTED BY: Dana Fulton
JOB NO.: 5528962

A P P E A R A N C E S

List of Attendees:

Gregory Chakalian, The Hearing Examiner

John Garcia, Examiner

Sheila Apodaca, Host

Deana Bennett, Esquire, Modrall Sperling

Jim Bruce, Esquire

Michael Feldewert, Esquire, Holland & Hart

Adam Rankin, Esquire, Holland & Hart

Paula Vance, Esquire, Holland & Hart

Dana Hardy, Esquire, Hinkle Shanor

Jackie McLean, Esquire, Hinkle Shanor

Ernest L. Padilla, Esquire

Elizabeth Ryan, Esquire

Darin Savage, Esquire, Abadie & Schill

Sharon Shaheen, Esquire, Montgomery & Andrews

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T S

NO.	DESCRIPTION	ID/EVD
Case No. 23688:		
Exhibit 1	Pooling Checklist	74/75
Exhibit 2	Landman's Affidavit	74/75
Exhibit 3	Geologist's Affidavit	74/75
Exhibit 4	Affidavit of Notice	75/75
Exhibit 5	Certified Notice Spreadsheet	75/75
Exhibit 6	Affidavit of Publication	75/75
Exhibit 7	Application Proposed Notice	75/75

NO.	DESCRIPTION	ID/EVD
Case Nos. 23795, 23796, 23797, and 23798:		
Exhibit 6A	Affidavit of Publication	78/81
Exhibit 6B	Affidavit of Publication	78/81

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T S (Cont'd)

NO.	DESCRIPTION	ID/EVD
Case No. 23953:		
Exhibit A	Self-Affirming Statement	83/85
Exhibit A2	Preliminary Approval Letter	83/85
Exhibit A3	Preliminary Approval Letter	83/85
Exhibit A4	Uncommitted Working Interest	83/85
Exhibit B	Geologist's Statement	83/85
Exhibit B3	Stratigraphic Cross Sections	84/85
Exhibit C	Affidavit of Notice by Mail	84/85
Exhibit D	Affidavits of Publication	85/85

NO.	DESCRIPTION	ID/EVD
Case No. 24005:		
Exhibit A	Mr. Haddock Land Professional	90/92
Exhibit B	Mr. Canton Geology Testimony	91/92
Exhibit C	Notice Testimony and Exhibits	91/92

NO.	DESCRIPTION	ID/EVD
Case No. 24006:		
Exhibit A	Mr. Haddock Land Professional	90/92
Exhibit B	Mr. Canton Geology Testimony	91/92
Exhibit C	Notice Testimony and Exhibits	91/92

1 P R O C E E D I N G S

2 THE HEARING EXAMINER: -- 2023, my name
3 is Gregory Chakalian. I am the hearing examiner for
4 the Oil Conservation Division. We are working off of
5 a docket that was emailed to everyone a day or two
6 ago.

7 We are calling Case Nos. 1 through 15.
8 Those are Case Nos. 23614 through 23617, consolidated
9 with 23775, 23 -- sorry, 24018 through 24027.

10 Appearances, please?

11 MR. RANKIN: Good morning,
12 Mr. Examiner, Adam Rankin appearing on behalf of the
13 Empire -- I'm sorry, Goodnight Midstream Permian, LLC,
14 with my colleague this morning, Ms. Paula Vance, in
15 each of the cases that you just called.

16 THE HEARING EXAMINER: Thank you.

17 MS. HARDY: Mr. Examiner, Dana Hardy,
18 with Hinkle Shanor on behalf of Empire, and also
19 appearing on behalf of Empire are Ms. Shaheen and
20 Mr. Padilla.

21 THE HEARING EXAMINER: Thank you.
22 Okay. I guess that's everyone here. Where are we
23 with these cases?

24 MR. RANKIN: Mr. Hearing Examiner, if I
25 may jump in here, we have taken some time to continue

1 to confer over discovery issues. I think we've made
2 some substantial progress.

3 Empire has agreed to produce the
4 communications between its expert testifying witnesses
5 and Empire -- in the course of producing some of those
6 communications, we've identified some additional
7 documents that are responsive.

8 And Empire has and counsel have been
9 working with us to get those documents to us, and they
10 have done so.

11 There's a few additional things that
12 we're working on, including some earlier
13 communications between Empire and its testifying
14 expert witnesses.

15 We have some remaining concerns, and
16 we're hopefully working through to resolve those. I
17 sent an email seeking to confer over some of those
18 remaining issues yesterday to Empire counsel.

19 So we're hoping that we can get those
20 resolved here in short order. Mr. Examiner, just a
21 point of order on this, these cases are, you know,
22 fairly expansive.

23 There's a lot of technical information
24 that's coming to light as a result of the claims and
25 arguments being raised by Empire.

1 And so we are working through to make
2 sure that we have all the information we need so that
3 we can present the agency with the complete picture so
4 they can make a correct and accurate, best decision
5 possible.

6 Now, one thing I wanted -- before I
7 pass it off, Mr. Examiner, I sent a note over to
8 Empire counsel this morning.

9 We have made a decision to -- based on
10 the complexity of these cases and the nature of the
11 interests at issue and recent precedent from the
12 commission, we are going to request that a number of
13 these cases be taken up directly to the commission.

14 And I would like -- if you wouldn't
15 mind, Mr. Examiner, I could just outline what we're
16 going to request and the reasons for it, if you would
17 like, or I can defer that until you have an
18 opportunity to hear from the Empire folks.

19 THE HEARING EXAMINER: Okay. I have a
20 question, and then I'd like to hear what your plan is.
21 My question to you is, what is Goodnight seeking to do
22 in these cases?

23 MR. RANKIN: So, Mr. Examiner, in these
24 cases that Goodnight has filed before the division,
25 essentially, there are five cases. Four of them are

1 for new -- authorization for new saltwater disposal
2 wells within the EMSU, the Eunice Monument South Unit.

3 One of those applications, the fifth
4 application, is for an increase in the injection rate
5 for an already existing authorize-approved injection
6 well within the Eunice Monument South Unit.

7 THE HEARING EXAMINER: Okay. And
8 before you continue, let me pull up this order that I
9 think has a very big effect on what we're doing here,
10 and I am talking about Order No. 22869.

11 This is an order that was signed in
12 late November by the division director. He may have
13 been acting at that time in his new capacity.

14 I don't remember, but ultimately, this
15 is an order that denies the application of Goodnight
16 Midstream for a saltwater disposal well in an area
17 that already had a waterflood secondary recovery
18 project going on.

19 So, Mr. Rankin, why do you -- and is
20 that why you would like to take these cases to the
21 commission directly?

22 MR. RANKIN: There's a bunch of
23 reasons, Mr. Examiner. Let me just kind of start with
24 the one you raise. Okay?

25 Within the area that's been defined as

1 the Eunice Monument South Unit, there was preexisting
2 disposal long before this unit was created. The
3 division had authorized produced water disposal within
4 the unit boundaries before there was even a unit,
5 starting in the 1960s. Okay?

6 So the unit came to preexisting
7 disposal in the San Andres Zone. Okay? So that's
8 No. 1.

9 No. 2, we have grave concerns about the
10 basis for the division -- or, actually, in this case,
11 it was the commission creating the unit and including
12 the San Andres within that zone.

13 So what we were going to do,
14 Mr. Examiner, this is one of the things I wanted to
15 let you know, and I informed counsel this morning.

16 We're going to be filing two
17 applications before the commission to amend existing
18 orders to modify the unitized interval for the Eunice
19 Monument South Unit and to contract the vertical
20 extent of the pool that governs oil production within
21 the unit boundaries.

22 Those are commission orders that were
23 issued back in the '80s, and we had refrained from
24 pursuing to modify those orders for a couple reasons.

25 No. 1, the division has already

1 designated the San Andres in this area for saltwater
2 disposal, and it has already authorized injection into
3 the San Andres for decades, prior to even the
4 unitization of this acreage.

5 So we didn't believe it was necessary
6 at the time to make any adjustments to the unit
7 interval or to the pool on that basis.

8 Now, given the order that was issued by
9 the division in the case you just referenced and the
10 arguments that are being raised by Empire, we see no
11 real alternative here but to seek to modify the
12 unitized interval and the pool boundaries.

13 For that reason, we're filing these
14 applications to amend those commission orders. Now,
15 because those are commission orders, you know, we
16 believe that it's only appropriate for the commission
17 to hear those applications.

18 Given that and given the magnitude of
19 the interests at play here and the recent precedent
20 from the commission to hear, in the first instance,
21 matters of produced water disposal that
22 affect -- waste and other -- policy issues, we're
23 going to be asking the commission to take up all the
24 cases that directly affect production and injection
25 within the boundary of the EMSU.

1 And I can recite to you which are those
2 cases. Now, separately, Empire has, you know, filed
3 for ten applications to revoke Goodnight's injection
4 authority. Of those ten cases, four of them involve
5 injection wells that are within the EMSU boundary.

6 Those cases, those four cases that seek
7 to revoke injection authority within the EMSU
8 boundary, ought to be combined with Goodnight's four
9 cases for new injection within the EMSU boundary and
10 the one case to increase the injection rate authority
11 in one of the wells.

12 So there's a total of nine cases, I
13 believe, plus the two that we're going to be filing
14 that ought to be -- in our view, be heard initially by
15 the commission.

16 THE HEARING EXAMINER: And what are
17 those case numbers?

18 MR. RANKIN: So the Goodnight cases
19 that would be implicated are Case No. 23614 through
20 23617, 23775, which is the case to increase the
21 injection rate. The Empire cases that would be
22 implicated are Case Nos. 24018, 24019, 24020, and
23 24025.

24 The other six cases that Empire's
25 filed --

1 THE HEARING EXAMINER: Hold on,
2 Mr. Rankin, 24018 through 20 -- 25, you said.

3 MR. RANKIN: Yeah. And I'll just
4 restate the Empire cases, 24018, 24019, 24020, and
5 24025.

6 THE HEARING EXAMINER: Why did we
7 consolidate all the cases beginning with 24018 through
8 '27 originally?

9 MR. RANKIN: Mr. Examiner, you know, I
10 think, initially, you know, we thought it was a good
11 idea just to handle all these at once, and, in my
12 mind, there were distinctions between the cases that
13 Empire filed.

14 And I was thinking I would handle those
15 as and when we got them consolidated. I would address
16 them at the time, but I think, in light of the
17 magnitude and the complexity of these issues, it's
18 more appropriate to just go ahead and bifurcate them
19 now on the front end.

20 And let me just touch on that real
21 quickly. So as I mentioned, there's a number of these
22 cases that -- and they're all within the EMSU
23 boundary. Okay?

24 The four of our cases for new disposal,
25 the one for increase injection rate, and then the four

1 in which Empire's seeking to revoke injection
2 authority those all within the EMSU boundary.

3 So all the, you know -- the issues in
4 those cases regarding -- rights, unitization, the
5 right to unitize, the pool which is the pool boundary
6 definition, which is limited to the EMSU, all those
7 factors weigh heavily in favor of having those cases
8 be heard together. Okay?

9 Those are all within the EMSU boundary.
10 They're all being governed by the same set of rules,
11 same set of facts, the same underlying, you know,
12 issues, because we're, you know -- we're seeking to
13 inject directly within the EMSU boundary.

14 And they're arguing they want to do a
15 residual oil recovery within the EMSU boundary. So
16 everything is contained in those cases.

17 Now, the other six cases that Empire
18 has filed to revoke injection authority all deal with
19 existing authorized injection wells outside of the
20 unit boundary at varying distances. Okay?

21 Anywhere from several hundred feet to
22 almost a mile, those wells, No. 1, are outside the
23 unit area of varying distances in a different pool
24 with different pool rules.

25 And so, No. 1, we don't see, you know,

1 any imminent harm or any imminent reason, any rush to
2 deal with those cases immediately because, No. 1,
3 they're outside the unit boundary.

4 Some of those wells aren't
5 even -- haven't even drilled and/or are not even
6 injecting yet, and they're various varying
7 distances -- so there's going to be varying factors.

8 And it's going to be, I mean -- No. 1,
9 we have to evaluate area of influence in those cases.
10 Whereas cases in the EMSU, we're not going to have to
11 deal with that. It's all within the unit.

12 So there's going to be a different
13 layer of analysis and investigation in those six cases
14 that we don't have to deal with in the EMSU cases.

15 THE HEARING EXAMINER: Okay. Let me
16 interrupt you for a moment, Mr. Rankin. Are you
17 planning -- is your planning on appealing Order
18 No. 22869?

19 MR. RANKIN: Yes, Mr. Examiner. We
20 will be doing so. We have a few days left, and we are
21 sorting out exactly, you know, as we're thinking
22 through the effect of that order and the combination
23 of these cases.

24 So there's a fair bit of, you know,
25 figuring out how best to manage all this. So

1 initially, we did think that it made sense to try to
2 get these all dealt with together, and then we would,
3 you know, segregate them after the fact.

4 But upon further reflection and the
5 evaluation of the, you know, various factors here, in
6 terms of the -- what evidence would need to be
7 presented and whether it would be more appropriate for
8 the commission or division to hear, we've decided that
9 the best course, and we think this is the more
10 efficient course -- actually, in terms of speed and
11 time, I mean, I think Empire would prefer this course
12 because it would allow -- rather than having to have
13 two sets of cases, you know, one heard at the division
14 level and another -- and then wait for an order, and
15 then, you know, go -- de novo and do it all over again
16 at the commission, we're proposing to sort of short
17 circuit the process.

18 Of course, it's, you know, up to the
19 discretion of the commission whether to take it, the
20 initial case here, but we're proposing to go directly
21 to the commission and have this heard, you know, at
22 the commission.

23 So it ought to, you know, speed things
24 along in terms of the --

25 THE HEARING EXAMINER: Okay. Okay,

1 thank you, Mr. Rankin. I want to ask John Garcia.

2 Mr. Garcia, based on what you just
3 heard and before we go to Ms. Hardy, who I'm sure has
4 a lot to say about all this, do you have any questions
5 for Mr. Rankin?

6 MR. GARCIA: I do not at this time.

7 THE HEARING EXAMINER: You do not.
8 Okay. Well, Mr. Garcia, what I specifically want to
9 know is what you think of the idea of keeping these
10 six cases filed by Empire to withdraw existing
11 injection authority right outside this unit, what you
12 think of keeping them together with these other cases.

13 MR. GARCIA: Yeah. So I was trying to
14 play catch up in the background on these cases
15 because, typically, I don't deep dive status
16 conferences too much because -- they're just
17 continuances, you know, negotiation updates.

18 This is probably the first one I've
19 experienced where I guess, it's gone in this depth
20 with these proposals to go straight to OCC [ph].

21 So in the background, I guess, the part
22 I was struggling is, to why are these cases
23 differential? Like, why are we separating them?
24 Again, I haven't like deep-dived. There's, what is
25 it, 20 cases or so, 15 total.

1 I know I highlighted the ones
2 Mr. Rankin just said as being separate -- of what he's
3 talking about. I'm just struggling to play catch up
4 on what's the difference here and why should they be
5 separated.

6 THE HEARING EXAMINER: Okay. Then, I
7 won't put you in an unfair position of asking you that
8 question. I'll take that part under advisement, and
9 we can talk.

10 MR. GARCIA: Yeah, and I can definitely
11 talk with you on --

12 THE HEARING EXAMINER: Offline.

13 MR. GARCIA: -- on this.

14 THE HEARING EXAMINER: Okay.

15 Ms. Hardy, let's start out with the proposition that
16 I'm leaning toward issuing an order referring all of
17 these cases, including the two new ones that we don't
18 know the case numbers, to the commission so that they
19 can hear the appeal of the Order 22869 and hear these
20 cases, 1 through 15, on the docket.

21 What is your thought about that?

22 MS. HARDY: Mr. Examiner, I believe
23 that Goodnight would need to file a request with the
24 commission to accept the cases, and I don't know that
25 the commission would do that.

1 I think that's an issue that would need
2 to be briefed and addressed. I just saw Mr. Rankin's
3 email this morning regarding this issue right when we
4 got on this hearing, and so I haven't had a chance to
5 confer with Empire about their position on the
6 transfer of the cases to the commission.

7 I just don't know at this point what
8 that would be. So I would need to do that, and I
9 think that's an issue that may need to be briefed.

10 I know, in the past, the commission has
11 found that it prefers for the division to hear cases
12 before they are sent up to the commission.

13 I think that, as you've mentioned -- I
14 think that Order R-22869a, which is the order that the
15 division issued denying Goodnight's application for
16 injection -- the Baeza [ph] well, is really
17 dispositive of Goodnight's applications in Case
18 Nos. 23614 through 23617, as well as Case 23775, where
19 they're seeking to increase injection into Empire's
20 unitized interval.

21 I think that, really, that order
22 requires those applications be dismissed. It's
23 dispositive. I think the division correctly found
24 that this is a unitized interval.

25 It's been in existence since the '80s

1 and operating as a secondary recovery unit and that
2 injection into the unitized interval impairs the
3 production of hydrocarbons and results in waste.

4 And that's the division's paramount
5 obligation under the Oil and Gas Act is to prevent
6 that from occurring.

7 So I think that the application should
8 be dismissed and that Goodnight can file the
9 applications with the commission that it's talking
10 about and seek to amend the unitized interval.

11 I think that's a heavy burden to bear,
12 and I think it's, basically, a collateral attack on
13 existing orders that have been in existence for many,
14 many years and that many parties have relied on, not
15 just Empire.

16 The interest owners in a unit are
17 relying on the fact that this unit exists and is
18 operating. So that's a heavy burden for Goodnight to
19 undertake, and I think if they want to file those
20 applications, we would respond accordingly.

21 But in the meantime, I think that their
22 new injection application should be dismissed and that
23 Empire's applications to revoke to be consolidated for
24 a hearing for the division.

25 I disagree with Mr. Rankin that the

1 wells inside of the unit and outside of the unit raise
2 different concerns. The geology and engineering
3 evidence is going to be the same or very similar, and
4 the wells outside of the unit are very close to it.

5 And that's part of the basis for the
6 applications to revoke, is that they are impacting the
7 unit. So I don't think it makes sense to separate the
8 wells within the unit from the wells that are outside
9 of the unit --

10 THE HEARING EXAMINER: So, Ms. Hardy,
11 if Mr. Rankin -- so I'm not sure I agree with the
12 rationale that I don't have the authority to refer
13 these cases to the commission but take that aside. I
14 don't think that's critical here.

15 If Mr. Rankin were willing to dismiss
16 his cases, the four plus one, the five cases, that we
17 know and file those directly with the commission along
18 with his appeals of either of those, would you be
19 willing to dismiss your cases, the 24018 through '27,
20 basically, so that the commission can consider all of
21 these issues at one time?

22 MS. HARDY: Is the question whether we
23 would dismiss them and refile with the commission? I
24 don't know that we can do that. I mean, I think I
25 would need to consult with Empire about that.

1 I'm not sure that there's a mechanism
2 to do that under their procedural rules. I know
3 that --

4 THE HEARING EXAMINER: The way I look
5 at these -- the way I look at these cases, Ms. Hardy,
6 is that they're all -- it's all the same unit, as
7 Mr. Rankin said, or the surrounding area to this unit.

8 They're all impacted by this order that
9 was just issued, which basically changes the playing
10 field for Empire and Goodnight, and it seems that
11 Empire has a dog in this fight before the commission
12 on this appeal of this order.

13 And all the cases really need to be
14 heard together. That's the way I see this.

15 So unless you can tell me why that's
16 wrong, I'm either leaning toward the parties
17 dismissing these cases and refileing them with the
18 commission along with my referral because I do plan on
19 filing the order referring all of these cases, all 15
20 cases, plus these two new ones that haven't even been
21 filed yet, and the appeal, to the commission to deal
22 with this.

23 Is there some reason why you think
24 that's a bad idea?

25 MS. HARDY: I don't think that we would

1 need to dismiss our applications. I think that's a
2 separate matter. I think that I agree that the cases
3 should be heard together, and certainly, all the
4 pending applications should be heard together.

5 But I don't think that -- I think that
6 if the cases were referred to the commission, that's
7 certainly one way to go, but I don't think we would
8 dismiss our applications to do that.

9 I think it's a matter of referral, and
10 I know, in other cases, we were in a similar situation
11 where we had an appeal to the commission and also a
12 number of cases that were related that were filed with
13 the division.

14 And this was a separate issue. They
15 were pooling cases [ph]. We had asked the cases be
16 all transferred to the commission, and the commission
17 said they would prefer for the division to hear the
18 division cases and to stay the commission case while
19 the division did that.

20 I don't have that order in front of me,
21 but that's what the commission had done in that
22 situation.

23 THE HEARING EXAMINER: But, Ms. Hardy,
24 are you saying that you don't remember at least one
25 instance in which my predecessor, Bill Brancard [ph],

1 filed an order referring cases to the commission?

2 And I would suspect then, as part of
3 that order referring cases to the commission, that
4 there would also be an order to dismiss the cases in
5 front of the division so they could be heard by the
6 commission.

7 MS. HARDY: I don't know specific
8 instances. I'm sure that probably has happened. I
9 don't think the cases at the division get dismissed,
10 though. I mean, I think they're referred to the
11 commission in that scenario.

12 THE HEARING EXAMINER: I'm wary of
13 having cases pending in front of the division when
14 this order changes the playing field and was issued
15 after these cases were filed.

16 The parties are still -- we're still in
17 the status conference phase. We're not even ready for
18 a hearing in front of the division. Right?

19 MS. HARDY: I actually think that we
20 are ready for a hearing before the division. We
21 actually submitted all of our hearing exhibits, and
22 the cases were postponed because Goodnight wanted to
23 conduct discovery, so.

24 THE HEARING EXAMINER: Right. Well, so
25 then, they're not ready yet.

1 MS. HARDY: Well, I think they are from
2 Empire's perspective. I think we've conducted the
3 discovery and submitted our hearing exhibits that we
4 plan to go to hearing on.

5 THE HEARING EXAMINER: So if the
6 division hears these cases on the revoking Goodnight's
7 injection authority, and Goodnight goes on appeal to
8 the commission and the commission, I don't know, let's
9 say, upholds this order signed by Director Fuge [ph],
10 who sits on the commission, you're saying that
11 wouldn't impact the cases.

12 I mean, it just doesn't -- it seems, to
13 me, that -- that doesn't seem logical for me.

14 MS. HARDY: I do think it would impact
15 the cases, Mr. Examiner. I absolutely agree with you.
16 I think that the existing order is dispositive, and if
17 it's upheld, that applies to all of the cases.

18 THE HEARING EXAMINER: All right, okay.
19 I want to ask, before I go back to Mr. Rankin -- I
20 want to ask Ms. Shaheen. Do you have any feedback on
21 all of this?

22 MS. SHAHEEN: Thank you, Mr. Examiner.
23 I did have one case that was referred to the
24 commission. It was not dismissed. It was just
25 referred to the commission.

1 THE HEARING EXAMINER: Okay.

2 MS. SHAHEEN: That has been done in the
3 past, but that was one singular case. And that case
4 had actually already been presented to the division,
5 and it was referred to the commission for a final
6 decision.

7 And I was looking for the order, but I
8 wasn't able to pinpoint it in the few minutes that I
9 had. And I'm sorry. What was your initial question
10 to me?

11 THE HEARING EXAMINER: Well, just go by
12 what you just said, when you said it was heard by the
13 division, so the division collected a bunch of
14 evidence.

15 And then are you saying that, before
16 the commission, the commission just ruled on the
17 evidence, the record that was established before the
18 division, or was it a de novo hearing?

19 MS. SHAHEEN: In that case, it was not
20 a de novo hearing because it was not a review de novo
21 because the division had not issued a decision.

22 THE HEARING EXAMINER: Okay, okay. And
23 then so, my question to you originally was your
24 feedback on what you heard.

25 You know that my -- what I'm seeking of

1 you, and I have discussed this with my supervisor, is
2 to refer these cases to the commission so that they
3 can hear the appeal of this order and hear these cases
4 de novo because it doesn't seem efficient to keep
5 these on the docket to have these piecemeal in front
6 of the commission.

7 So that's my sense. And what are your
8 thoughts?

9 MS. SHAHEEN: Well, it does eliminate
10 the opportunity for an appeal or review de novo by the
11 commission.

12 We would be appealing directly to the
13 district court, and I'm sure that whoever was not
14 successful before the commission would be appealing.

15 The other thing is that I'm concerned
16 that it creates more delay.

17 Every day, there are thousands and
18 thousands and thousands of barrels of water that are
19 being injected into the formation, and that is
20 adversely affecting Empire and, its working interest
21 owners and its royalty interest.

22 So that's my concern; it's a continued
23 delay.

24 THE HEARING EXAMINER: Okay. I
25 understand your concern. Mr. Padilla?

1 MR. PADILLA: Well, first of all, I
2 agree with consolidation of these cases because the
3 geology and reservoir [ph] characters are essentially
4 the same.

5 Whether or not some of those wells are
6 outside the unit, they're still impacting the unit.
7 I'm impressed now by the new strategy that Mr. Rankin
8 has enunciated this morning according to the
9 commission and asking to amend the vertical limits,
10 so.

11 In the Baeza [ph] case, I argued that
12 collateral would stop -- that decision was not really
13 made, but Goodnight, in this case, has challenged
14 the -- collateral attack without going back to amend
15 the commission order -- 1984.

16 That order's still good, and that's
17 necessary. So I think that Mr. Rankin is probably
18 correct in going to amend that order. Whether or not
19 at this late date it's appropriate is a different
20 thing.

21 Now, I take that by bifurcating these
22 cases, Goodnight gets a second bite at the apple, and
23 it's probably not -- that's going to result in a lot
24 of delay if a bifurcation is made.

25 So I think it's appropriate, whether

1 it's the division or the commission, that they all be
2 heard at the same time without going at it twice.

3 But I haven't had any cases that have
4 been referred to the commission. I've been practicing
5 a long time before the division and the commission.

6 Before that, I don't know that --
7 I mean, I think it's the discretion of the hearing
8 examiner to issue an order of referral.

9 But I don't think that dismissal is
10 necessarily appropriate or that we'd have to refile
11 before the commission, but that's your decision.

12 THE HEARING EXAMINER: The order you
13 were talking about from the '80s, what did that
14 order -- was that order in favor of injection, or what
15 did that order do?

16 MR. PADILLA: That order --
17 surprisingly, I was reading the transcript from that
18 case, and I appeared in that case for some minor
19 interests on this.

20 But there was no necessary -- I mean,
21 the unitization involved both the San Andres and the
22 Grayburg, but primarily the Grayburg. And there was
23 some discussion about, in the hearing, for, I think,
24 make-up water [ph] and a later tertiary recovery from
25 the San Andres.

1 And I think now with the residual oil
2 claim that Empire has, it's the recovery of
3 reserves [ph] in that zone is appropriate without
4 having a whole bunch of new water coming in there
5 that's not necessarily compatible with what's there.

6 And we think it's going to migrate into
7 the Grayburg, and --

8 THE HEARING EXAMINER: So, Mr. Padilla,
9 you're saying that the order that Mr. Rankin would be
10 seeking to amend before the commission would be an
11 order that benefits Empire and hinders Goodnight's
12 injection interest. Is that right?

13 MR. PADILLA: Yes. We, of course,
14 would want it to have unitized interval the same,
15 remain the same. We don't want that order, original
16 order, changed.

17 I mean, Goodnight can file something,
18 an application, to amend the vertical limits, but
19 there was no appeal by anyone of that order way back
20 then. And so that unit has existed.

21 The vertical limits, including the
22 Grayburg and the San Andres, are both part of that
23 original order.

24 And now, you have an interloper in
25 here, saying, "Well, we need that to" -- I know

1 Mr. Rankin's made some kind of policy argument, which
2 I think is collateral attack, but I don't see that
3 they have an interest, No. 1, in the unit.

4 And now, today is the first time that
5 they've really gone out and said, "Well, maybe we
6 ought to amend that original order," on whatever basis
7 their application is going to be based on.

8 THE HEARING EXAMINER: Okay.
9 Ms. Vance, is Mr. Rankin speaking for you in this
10 case?

11 MS. VANCE: That's correct.

12 THE HEARING EXAMINER: Okay, very good.
13 I just want to give everyone a chance to tell me what
14 they think.

15 Mr. Rankin, you've heard from, you
16 know, opposing counsel. What do you have to say about
17 what you've heard?

18 MR. RANKIN: Thank you, Mr. Hearing
19 Examiner. Yeah. I mean, I think a couple things. I
20 just want to keep everybody's focus on the history
21 here and the facts.

22 No. 1, there was prior saltwater
23 disposal [ph] injection going back into the '60s in
24 the San Andres within the area defined as the EMSU
25 well before, two decades before, the EMSU was created.

1 Okay, No. 1.

2 The contention that the Baeza [ph]
3 order that you referred to, Mr. Examiner, is
4 dispositive or is controlling in these cases, I think
5 is misplaced. Certainly, it indicates the division's
6 mindset.

7 The facts, evidence, and testimony that
8 were presented at that case are discrete, and
9 wholly -- they're going to be totally different than
10 what you're going to see in this set of cases. Okay?

11 In large part, that's because what
12 Empire presented at that hearing was minimal. Okay?
13 There was one witness with almost no technical
14 evidence. As we cited in the order, there's almost
15 zero technical evidence, so.

16 And furthermore, division cases are not
17 generally held to be precedential in other division
18 cases, again, in large part here because we got a
19 different set of evidence and testimony coming
20 forward.

21 Now, setting aside the Baeza [ph] case,
22 obviously -- I mean, obviously, from our perspective,
23 it does create an issue because it indicates to us a
24 mindset that the division may be having to go into
25 these cases. Okay?

1 And that's a consideration on our part
2 that we have to take into account. Our view is that
3 when we finally present all the facts and evidence,
4 that we will prevail and that we will be permitted to
5 continue to dispose within the San Andres.

6 Now, that may be ultimately a decision
7 for the commission, and it probably ought to be, in
8 the first instance, heard now and decided by the
9 commission.

10 And for that reason, Mr. Examiner, I do
11 believe you have authority to refer matters that you
12 believe are more appropriately heard by the
13 commission. Now, ultimately, it's the commission's
14 discretion to hear that case -- to take these cases or
15 not.

16 And we can either do it by filing a
17 motion, as Ms. Hardy suggests, or they can be referred
18 by you. I think either way is appropriate. I think
19 the notion that we must dismiss these cases is putting
20 form over function.

21 I think, upon referral and acceptance
22 by the commission, they're off your docket, okay, and
23 there's no need to worry about dismissing them.

24 So I think the appropriate, you know,
25 vehicle here is either for us to file a motion with

1 the commission or for you just to go ahead and refer
2 them, you know.

3 I think either way is fine, and
4 whichever, you know, you ultimately prefer is
5 appropriate. Now --

6 THE HEARING EXAMINER: Well, let me
7 interrupt you.

8 MR. RANKIN: Yeah.

9 THE HEARING EXAMINER: What I see here,
10 which was provided by Mr. Garcia, thank you, in cases
11 that involve applications of Cimarex Energy for
12 compulsory pooling and Chevron USA [ph] for compulsory
13 pooling, and the case numbers are 23088 through '91
14 and then 22871 and '72, there was a motion that was
15 filed by Cimarex, served on the division's examiner
16 to -- it was unopposed to refer the above cases to the
17 commission.

18 And the director signed that order,
19 referring the cases to the commission. That's the
20 route that I would like to take, is that the parties
21 file a stipulated or unopposed, or whatever you want
22 to call it, motion to refer.

23 And I would like all of these cases to
24 go together. I know, Mr. Rankin, you feel that the
25 cases outside the unit are not related closely enough.

1 I feel like they are. I know that the
2 other parties feel like they are. Empire feels like
3 they are. So with that being said, what do you think
4 about that?

5 MR. RANKIN: Mr. Examiner, I appreciate
6 that consideration. Initially, that was my thought,
7 too. Okay? And that's why I was initially proposing
8 to put them all together.

9 Now, I want to point out a couple
10 things. No. 1, there are more parties involved here,
11 okay, than simply Goodnight and Empire. There are two
12 existing saltwater disposal wells operated by
13 Rice [ph] within the EMSU.

14 Those have been injecting for decades.
15 Okay? In addition, Empire has been injecting into the
16 San Andres for disposal as well. Okay?

17 Those are only the wells within the
18 EMSU. There are others outside the boundaries that
19 are implicated as well. In order to keep this
20 streamlined and more direct among the parties who are
21 really at issue, we ought to keep it within the EMSU.

22 That's one reason. Secondly, the idea
23 that the -- so as to the wells outside the unit, okay,
24 Empire has alleged, on information and belief, that
25 the water that is being injected by Goodnight

1 Midstream into those well, outside, as far as almost a
2 mile away, are already encroaching into the unit
3 boundaries and impairing their ability to do their
4 unit operations.

5 That's a whole other area of
6 demonstration, proof, technical evidence, modeling.

7 That's a whole different body of
8 evidence and testimony that's going to need to be
9 dealt with in those cases, setting aside the fact that
10 there's many other saltwater disposal wells in the
11 same radius outside the EMSU that ought to be included
12 in this discussion as well.

13 So my view is that, whether, you know,
14 the commission ultimately decides that injection in
15 the San Andres is inappropriate or not, it ought to be
16 first addressed within the unit boundaries.

17 Then, after we understand whatever
18 guidance the commission may have to offer, we can
19 separately deal with saltwater disposal outside the
20 unit boundaries on a case-by-case basis, based on
21 analysis of the plume extent and other considerations
22 because those are going to be separate -- those are
23 going to involve entirely separate facts and evidence
24 because of the distances. Okay?

25 THE HEARING EXAMINER: I understand

1 your perspective. Ms. Shaheen, if I was persuaded by
2 that argument, then it sounds like we would have a
3 hearing on Cases 24021 through '24, '26, and '27. Is
4 that right?

5 MS. SHAHEEN: I am not sure. I think
6 there are also the pending Empire applications that
7 relate to wells within the EMSU as well. I'm not sure
8 of what case numbers relate to those wells within the
9 EMSU.

10 But what I would note is that I believe
11 that same type of evidence and modeling will be
12 pertinent to the cases for wells that are within the
13 EMSU. So I think that distinction there is somewhat
14 artificial.

15 THE HEARING EXAMINER: Okay. So,
16 Ms. Hardy, Mr. Rankin is suggesting that we only deal
17 with the cases within the unit and not outside.

18 But it seems to me that you have filed
19 six cases that are right around -- and those are the
20 cases I just said, 24021, '22, '23, '24, '26, and '27.
21 Is that correct?

22 MS. HARDY: I believe that's correct,
23 Mr. Examiner, but, as I mentioned, I do think that the
24 evidence is going to be the same. I think it's
25 artificial to distinguish.

1 THE HEARING EXAMINER: All right.
2 That's a different point.

3 MS. HARDY: Yes.

4 THE HEARING EXAMINER: But let me
5 understand. Those are the six cases that are right
6 around the unit but not inside the unit. Is that
7 correct?

8 MS. HARDY: I would need to confirm
9 those case numbers, but I'm willing to accept
10 Mr. Rankin's representation on that.

11 THE HEARING EXAMINER: Okay. Then, if
12 that's the case and we only had an unopposed motion to
13 refer the cases within the unit and not outside the
14 unit, what would be your intent?

15 Would your intent be let's hold a
16 hearing on those cases right outside the unit as
17 quickly as possible?

18 MS. HARDY: I think that all of the
19 cases need to be heard together.

20 THE HEARING EXAMINER: Okay, okay. All
21 right. That's your position --

22 MS. HARDY: Yes, yes.

23 THE HEARING EXAMINER: But, Mr. Rankin,
24 what it sounds to me like is that if you file a
25 motion, that it would be unopposed for the cases

1 within the unit and opposed for the cases outside the
2 unit.

3 MS. SHAHEEN: If I may, Mr. --

4 THE HEARING EXAMINER: Yeah, go ahead.
5 Yeah.

6 MS. SHAHEEN: We haven't been able to
7 confer with our client on this at all, and so we can't
8 say one way or another whether that motion would be
9 opposed or unopposed.

10 THE HEARING EXAMINER: Okay. That's a
11 fair point. I'm just going by what I'm hearing in
12 front of me today legally, not from your client.

13 MR. RANKIN: Mr. Examiner, I just want
14 to make one -- if I may make one response because I
15 want to make sure that it's understood the type of
16 analysis I'm talking about and that's going to be
17 different for cases outside. Okay?

18 At issue within the unit is whether the
19 injection's going to be impacting or impairing ROZ
20 development, unit operations, waterflood, so forth.
21 Okay?

22 That assessment is likely going to be
23 the same whether you're inside or outside. What's
24 different, okay, is whether the injection outside is
25 even reaching, okay, the unit boundaries. Okay?

1 That analysis is unique and different
2 and is going to be different based on each well, based
3 on the distance from each well.

4 There are, as we understand from
5 looking at the technical committee reports [ph] on the
6 unit, there are sand stringers [ph] and variations in
7 the geology within the San Andres, whether it's
8 domesticized [ph] or sand and whether or not -- how
9 extensive the injection's going to extend out from any
10 given well and the connectivity.

11 Mr. Sweeney [ph] himself, during the
12 Gouza [ph] case, was talking about how, you know,
13 water would be injected.

14 It would pop up in unexpected places in
15 their unitized interval, you know, because as they're
16 injecting water -- waterflood [ph], they would expect
17 there to be impacts in one well, you know, beneficial
18 impacts in one well.

19 And you would see it someplace else,
20 and that's because the geology in San Andres and some
21 places, is a little bit complex.

22 So as to the wells outside the unit,
23 there's going to be different set of evidence and
24 testimony, and it'll all be taken on a case-by-case
25 basis.

1 It is in the division's interest, I
2 believe, to allow the commission cases to go forward,
3 get guidance from the commission on injection into the
4 unitized interval, and then we can take those outside
5 cases separately with the guidance from the division.

6 THE HEARING EXAMINER: Ms. Hardy?

7 MS. HARDY: Mr. Examiner, I think that
8 it really does only make sense to address all of the
9 cases together. I think the evidence is going to be
10 very, very similar, if not the same.

11 I think that if the cases were referred
12 to the commission together, there's no reason the
13 commission can't consider some of the separate issues
14 that Mr. Rankin's talking about.

15 I don't think that means that the cases
16 need to be heard separately, you know, one set going
17 to the commission, one set staying before the
18 division.

19 I think that's an inefficient use of
20 resources of the division and the commission and of
21 the parties and the witnesses, really.

22 I think the evidence is going to
23 overlap. If Mr. Rankin wants to raise the issues that
24 he's talking about regarding injection outside of the
25 unit versus injection inside the unit, he can

1 certainly do that in one hearing.

2 I don't think that means that there
3 should be separate hearings. I think that's not an
4 efficient use of anyone's time or resources.

5 THE HEARING EXAMINER: Okay.

6 Mr. Garcia, do you have anything to add or any
7 questions you want to ask?

8 MR. GARCIA: Yeah. I have a few
9 questions for Mr. Rankin or Ms. Hardy, whoever, I
10 guess, has the answers. How big is this unit
11 acreage-wise is my first question.

12 MR. RANKIN: I think it's on the order
13 of 14,000 acres, but I'll let the Empire folks say.

14 MS. HARDY: I don't have that number in
15 front of me, but that sounds right.

16 MR. GARCIA: That's close enough, and I
17 guess --

18 MS. HARDY: It's a large unit.

19 MR. GARCIA: Okay. And these wells
20 that are on the outside of this unit are outside by
21 feet, miles? Like, what's the "outside"?

22 MR. RANKIN: It varies. I've done a
23 fairly careful analysis. It varies from a couple
24 hundred feet, several hundred feet to just under a
25 mile.

1 It appears to me that the Empire folks
2 have, you know, made a demonstration that a mile is
3 their cutoff.

4 MR. GARCIA: Okay.

5 MR. RANKIN: So this is a mile outside
6 of the area.

7 MR. GARCIA: And, I guess, to me,
8 everyone keeps talking about process and what's the
9 most efficient because obviously, your operators are
10 probably pressuring each of you to make their case win
11 and get out why so they can start operating these
12 wells.

13 I guess my question is, if we separate
14 these cases and commission hears the first set, we
15 hear the second set, and those are different answers,
16 are you going most likely just appeal those to the
17 hearing anyways to commission, and they're going to
18 have to hear the whole thing again?

19 I mean, that's kind of my thing
20 because, I think, no matter what, these cases are
21 going to be at commission. It's just is commission
22 hearing them together, or is commission hearing them
23 separately?

24 MR. RANKIN: Thank you, Mr. --

25 MS. HARDY: That's -- Mr. Garcia. I

1 think that either party -- the losing party if the
2 cases are heard separately, the division will
3 certainly appeal to the commission.

4 MR. GARCIA: Yeah. I mean, because I
5 already heard like, I think, it was Ms. Shaheen -- I
6 mean, it sounds like you guys aren't even going to be
7 happy with the commission as I heard you guys say
8 you're going to appeal to district court, which is,
9 obviously, you know, allowed.

10 And part of the process is you can
11 appeal -- to district court. So if you guys already
12 have that mindset, I don't know if we're benefiting
13 anyone's time by OCD [ph] hearing these cases.

14 THE HEARING EXAMINER: So, Mr. -- on
15 the question about the cases outside, okay, I think
16 there's some concern about efficiency, waste,
17 administrative, you know, efficiencies here.

18 What I'm proposing is that those six
19 cases outside the unit boundary be stayed and not be
20 heard by the division until there's resolution by the
21 commission of the injection within the unit boundary.

22 There's no need for the division to
23 hurry and hear those six cases at this time. They are
24 some distance away. Empire has no plans to conduct an
25 ROZ. We've asked for it; they don't have one.

1 They don't even have it in a written
2 plan. They've got no communications, apparently, that
3 discuss how they're going to approach the ROZ in the
4 San Andres because they haven't produced them --

5 MR. GARCIA: What's an ROZ again?

6 THE HEARING EXAMINER: Residual oil
7 zone. Okay?

8 MR. GARCIA: Okay.

9 THE HEARING EXAMINER: So apparently,
10 there is nothing imminent here. They, themselves, are
11 injecting into the San Andres, and they've been doing
12 it since the '80s.

13 Two other wells operated by Rice [ph]
14 have been injecting into the San Andres since the
15 '60s. A significant volume of produced water has been
16 injected since before the unit was even created.

17 They came to injection in San Andres.
18 There's no imminent harm to the EMSU or Empire for
19 injection outside the unit. Okay?

20 There's no need to rush to decide those
21 cases when what we have before us is a clearly
22 distinguishable set of cases within the unit boundary.

23 So what I'm proposing is to maximize
24 the efficiency here, stay those cases before the
25 division, allow the commission to hear the full set of

1 information, opinions, and testimony as to the
2 injection within the unit, take what the commission
3 rules, apply what is applicable to the injection
4 outside the unit boundary.

5 Those are going to be, you know,
6 different because of the distances. Then, as
7 necessary, we can hear those cases at the division
8 level. They're going to be different, okay, because
9 of the facts.

10 There's going to be some things that
11 are related, and maybe, you know, that guidance will
12 inform the way both parties put on their cases and
13 will inform the way the division hears those cases.

14 But we don't know yet until we have a
15 ruling and order from the commission. So what I'm
16 proposing is to maximize the administrative efficiency
17 here, allow those division cases to be stayed until we
18 have clear guidance from the commission. We can apply
19 what's applicable to those cases and then hear them.

20 Likely, as Ms. Hardy said, no one's
21 going to be happy, and they're going to be appealed to
22 the commission. But those are going to be on a
23 different set of facts and a different, you know --
24 and a different set of testimony.

25 So I think what we're proposing is the

1 most efficient way to handle these.

2 MR. GARCIA: And the part that confuses
3 me, I guess, is stay of these cases because you said
4 earlier, they're different factual patterns, different
5 evidence, which I understand you're talking about in
6 the unit, does the injection damage the waterflood,
7 outside of the unit does my plume lateral extent
8 affect it also.

9 Which from a technical side, I see
10 their differences, but even if the commission rules in
11 favor of your client, are those factual bases going to
12 be enough for OCC [ph] to make a ruling on the other
13 case that's not going to be appealed because like you
14 just said, they're different factual bases.

15 Sixty, 80 years is a long time of
16 injection, especially for, you know, a 1-mile zone.
17 Obviously, everyone's going to be its own facts, you
18 know, completion type, depth, production, how much
19 they're injecting, how much pressure they're
20 injecting.

21 Each well's going to be an individual
22 model. I'm assuming they'll probably model them
23 together because they're going to interact with each
24 other.

25 And I understand -- that they are

1 different aspects, but the administrative side, I just
2 don't see how anyone's going to be happy with an
3 OCD [ph] order.

4 I pretty much am taking this as me and
5 Greg are going to hear these cases. We're going to
6 issue an order -- are going to read the order, and
7 whoever lost is just going to straight appeal it to
8 OCC [ph], is how I take it, which means your clients
9 and you and us, are just, you know, further delaying
10 this answer.

11 I mean, to me, I take it as -- going to
12 even appeal the OCC [ph] one to district court --
13 rather the outcome, and so I don't think having
14 OCD [ph] hear these cases separate is a thing.

15 I mean, if you want to -- my
16 recommendation to Gregory is I think the parties, one,
17 need to talk to their clients and make sure the
18 parties know what's going on.

19 But as you guys have the right to file,
20 I don't know the legal word, but the request to go to
21 OCC [ph], the referral or remand, whatever it's
22 called, and in that referral, you can request OCC [ph]
23 to either hear these cases separate or together.

24 But I think either way, OCC [ph] is
25 going to be hearing these cases, and so we can let

1 OCC [ph] decide based off your request, should they
2 hear these together, or should they hear these
3 separate.

4 I mean, because that's kind of what
5 we're arguing, is they're going to hear it. It's just
6 how do they hear it's kind of the question, and if the
7 commission chair thinks there is enough overlap they
8 should together, he can do so. If he thinks they're
9 separate, he can do that, also. He has that power.

10 That's my take on this whole thing
11 is -- no matter what, they're going there. So it's
12 how does the commission want to hear these, separate
13 or together, and I would recommend you put in writing
14 each of your arguments, why they should be together or
15 why they shouldn't be.

16 THE HEARING EXAMINER: Ms. Hardy?

17 MS. HARDY: Mr. Examiner, I think it
18 does make sense for Mr. Rankin to file a motion that
19 we would have an opportunity to confer with our client
20 on and then respond.

21 I think we've covered the ground on
22 these applications are all related. I do want to
23 address the fact -- or Mr. Rankin's argument that the
24 injection wells outside of the unit are not an
25 imminent issue or concern.

1 They are from Empire's perspective.
2 That's an urgent issue because the injection outside
3 of the unit is also impacting the unit, and as
4 Mr. Rankin said earlier, one of the wells is 200 feet
5 away.

6 So this is, you know, all related, and
7 in addition to the injection that's occurred in the
8 unit previously, is vastly different in volume from
9 the injection that Goodnight is conducting and is
10 proposing to conduct.

11 Really, it's millions of barrels. So
12 it's a big difference, and it needs to be addressed as
13 soon as possible, in one hearing, I believe.

14 MR. RANKIN: Mr. Examiner, if it's so
15 imminent, I'm wondering when and what time Empire's
16 going to be filing applications to revoke Rice
17 Operating's [ph] authority to inject produced water in
18 the San Andres within the EMSU and when Empire's going
19 to be filing applications to revoke the authority of
20 any other saltwater disposal well within a mile of the
21 boundaries of the unit.

22 THE HEARING EXAMINER: Okay. All
23 right. Well, we don't have the answers to that, but
24 what I will decide for today, since it's just a status
25 conferences, is I'm not going to set another status

1 conference on these cases for now.

2 What I'm going to ask the parties to do
3 is to file a motion. Hopefully, it'll be an unopposed
4 motion.

5 But if it is opposed, let's come up
6 with a time frame so that I can get a motion to refer
7 over to the director and an order over to the director
8 for his consideration on whether he wants to hear all
9 of these cases together at the commission level or
10 whether he wants to bifurcate the six cases that are
11 right outside the EMSU.

12 Mr. Rankin, when would you be able to
13 file that motion?

14 MR. RANKIN: Well, we're working on the
15 applications to amend the unit interval and the pool
16 boundary, and I'd like to get those done first because
17 I see those as being kind of critical.

18 And then I think I would next work on
19 the motions to refer, and our position's going to be
20 that we will ask that only the, you know, cases within
21 the unit boundary be referred.

22 And we'll make a case for why the
23 others should be stayed at the division. So that's
24 what we likely will be doing. I guess I need to sort
25 of figure out my timing, but, you know, of course, if

1 you send me a deadline, then I will do my best to
2 stick to it.

3 But I think, you know, with the
4 holidays, I don't know, maybe -- is the second week of
5 January too late? I think that's reasonable given
6 everything that's going on in the world -- some time.

7 THE HEARING EXAMINER: Okay. Now, let
8 me look at this from a different angle.

9 Ms. Hardy, are you willing to file the
10 initial motion to refer and to make your argument on
11 why it all should be, you know, including the six
12 cases that you filed outside the unit, why that should
13 be heard by the commission?

14 Are you in a position to file that
15 motion?

16 MS. HARDY: Well, Mr. Examiner, as
17 Ms. Shaheen mentioned, we haven't conferred with our
18 client about the position on referral to the
19 commission.

20 So I need to do that to find out
21 whether they agree with that approach. That's why I
22 had envisioned ranking and filing a motion to --

23 THE HEARING EXAMINER: -- Ms. Hardy,
24 I'm confused because a moment ago, you told me that
25 time is of the essence.

1 MS. HARDY: It is, Mr. Examiner, but I
2 still feel like I need to confer with my client.

3 THE HEARING EXAMINER: I'm not arguing
4 about --

5 MS. HARDY: Yeah.

6 THE HEARING EXAMINER: -- conferring
7 with your client at all. Obviously, that's something
8 you need to do.

9 But you did say that your client is
10 concerned about, you know, the interruption of the
11 secondary recovery by saltwater injection both within
12 the unit and right outside the unit.

13 MS. HARDY: Yes.

14 THE HEARING EXAMINER: Having these
15 issues go to the commission without having to go
16 through an entire process at the division, which will
17 take months, months, and months to do, would seem to
18 be in the benefit to your client.

19 So let's say that your client is in
20 favor of the referral. Would you be at a -- would you
21 prefer to file the motion and let Mr. Rankin file a
22 response to your motion?

23 MS. HARDY: Sure.

24 THE HEARING EXAMINER: Okay, all right.
25 When would you be -- what is a reasonable deadline for

1 your motion?

2 MS. HARDY: Looking at the calendar
3 here, I would expect that we could get a motion filed,
4 assuming Empire agrees to go that route, by the end of
5 next week.

6 THE HEARING EXAMINER: Okay, that's
7 fine with me.

8 MS. HARDY: The 29th.

9 THE HEARING EXAMINER: That's fine with
10 me, and then, Mr. Rankin, I know that you are busy
11 with other applications that you just mentioned.

12 But if they're able to file their
13 motion by the 29th, would the 5th of January give you
14 enough time to respond to it?

15 MR. RANKIN: No. No. There's no way,
16 sorry. I mean, the applications are due. We got
17 hearings set. There's no way --

18 THE HEARING EXAMINER: Okay.

19 MR. RANKIN: I mean, there's just --
20 I'm already, you know, working over ten hours a day --

21 THE HEARING EXAMINER: So you're saying
22 then that the 12th of January is a deadline for you.

23 MR. RANKIN: Let me just see, the next
24 hearing --

25 THE HEARING EXAMINER: The next hearing

1 is the 4th.

2 MR. RANKIN: The 4th, the 19th, you
3 know, I would love if I could have until that Friday,
4 Mr. Examiner, to the 15th.

5 That would just give me the cushion to
6 make sure I have, you know -- there's a significant
7 burden that I have -- of the division cases --

8 THE HEARING EXAMINER: -- that's the
9 12th of -- that's the 12th of January --

10 MR. RANKIN: Yeah. So I'm asking for
11 the 15th.

12 THE HEARING EXAMINER: Because you want
13 to take the weekend, all right, then I'm going to give
14 Ms. Hardy --

15 MR. RANKIN: Oh, I'm sorry. I'm sorry.
16 Thank you, one moment. Let me get to the right month,
17 apologize. Thank you for drawing that to my
18 attention.

19 So you're saying that they would be
20 filing theirs by the 39th -- by the 29th, which is the
21 Friday, and that, yeah, I think two weeks -- okay, the
22 12th fine. I think that would be fine.

23 THE HEARING EXAMINER: Okay. So,
24 Ms. Hardy, you're okay with the 29th.

25 MS. HARDY: Well, if Mr. Rankin -- if

1 we're going to push out the schedule, I'd rather not
2 file the 29th. It is the holidays next week.

3 THE HEARING EXAMINER: Okay.

4 MS. HARDY: I was proposing that in the
5 interest of, you know, an expedited process.

6 THE HEARING EXAMINER: I gather that.
7 Okay. So here's what I'm going to do. We'll split
8 the difference.

9 Ms. Hardy, I'm going to give you a
10 deadline of the 3rd of January. That'll give you an
11 extra half a week so that you don't feel quite as
12 rushed, and, Mr. Rankin, we'll keep your deadline on
13 the 12th. And there won't be a reply.

14 There won't be a reply allowed in this
15 motion and response, and I will issue an order after
16 conferring with the director shortly thereafter so
17 that we can move these off to the commission, whether
18 they be all together or whether they be -- most of
19 them and the rest of them stay.

20 I don't know how that'll play out yet.
21 It'll depend on your motion and the response. So are
22 we done with these cases for today?

23 MR. RANKIN: Yeah. If I may just make
24 one comment, you know, out of professional courtesy,
25 given the holidays, I'm happy if Ms. Hardy or

1 Mr. Padilla or Ms. Shaheen reach out to me and ask for
2 a little extra time.

3 I will, without hesitation, grant it.
4 So you know, given the fact that it is the holidays,
5 you know, two days here or there isn't going to make a
6 big difference.

7 So I'm happy, you know, to allow them a
8 little extra time to get their motion completed. Just
9 I want to say that out of the gate.

10 THE HEARING EXAMINER: Right. And you
11 mean and still keep your response by the 12th.

12 MR. RANKIN: It depends on how much
13 time they want more, but I would expect they would
14 grant the same professional courtesy to us as well,
15 given that they've got, you know, three firms working
16 on it.

17 If we need a little extra time, I'm
18 sure they would be willing to oblige.

19 THE HEARING EXAMINER: Okay. But I'm
20 setting a deadline because I want to make a decision
21 along with the --

22 MR. RANKIN: Understood.

23 THE HEARING EXAMINER: So, Ms. Hardy,
24 and, Ms. Shaheen, and, Mr. Padilla, you have until the
25 close of business on the 3rd of January to file your

1 motion.

2 And, Mr. Rankin, you have until the
3 close of business on the 12th to file your response.

4 All right. That being said, I want to
5 take a five-minute break before we move on to new
6 cases. So it's 9:22; we'll be back at 9:27. Thank
7 you.

8 (Off the record.)

9 THE HEARING EXAMINER: Okay. We're
10 back. It is 9:27 a.m., and we will continue with the
11 hearing docket. I am calling Cases 16 through 20 on
12 the docket. That would be 23177, 23179, 23345, 23327.
13 I hope I got them all. Appearances, please?

14 MS. HARDY: Mr. Examiner, Dana Hardy,
15 with Hinkle Shanor on behalf of Mewbourne Oil Company.

16 THE HEARING EXAMINER: And did I get
17 the consolidated cases right, or am I still missing
18 some cases here?

19 MS. HARDY: I believe it should be
20 through the case that's listed No. 20 on the docket,
21 23328. I don't know if you got that one as well.

22 THE HEARING EXAMINER: I don't think I
23 did. Thank you, 23328 is also being called. Okay.
24 So thank you, Ms. Hardy.

25 MS. SHAHEEN: Good morning, again,

1 Sharon Shaheen, Montgomery & Andrews, on behalf of
2 Pride Energy Company.

3 THE HEARING EXAMINER: All right.
4 Thank you.

5 MR. FELDEWERT: Good morning,
6 Mr. Examiner, Michael Feldewert, Santa Fe Office of
7 Holland & Hart here for MRC Permian, Matador
8 Production Company, and separately then for XTO
9 Energy, Inc.

10 THE HEARING EXAMINER: Okay, thank you.
11 So we're here for a status conference --

12 MS. RYAN: Mr. Examiner? Mr. Examiner,
13 Beth Ryan, on behalf of COG Operating, thank you.

14 THE HEARING EXAMINER: Thank you,
15 Ms. Ryan.

16 MS. BENNETT: Good morning,
17 Mr. Examiner, Deana Bennett from Modrall Sperling on
18 behalf of Marathon Oil Permian, LLC.

19 THE HEARING EXAMINER: Okay. So I have
20 these cases as 23177 through '79, 23345, and 23327 and
21 '28. So do we have all the parties at this point?

22 It looks like we do. Okay. Who wants
23 to start off with where we're going with these cases?

24 MS. HARDY: Mr. Examiner, I'm happy to
25 start off.

1 THE HEARING EXAMINER: Great.

2 MS. HARDY: Mewbourne's applications
3 compete with Pride's applications. I know the parties
4 have been working for some time to try to reach a
5 resolution.

6 I think negotiations are still ongoing,
7 but at this point, I believe that the division
8 previously indicated that you would like to set these
9 for a contested hearing, given the amount of time
10 they've been on the docket.

11 And it's my understanding that Pride
12 also has made that request. So if that's the -- well,
13 Ms. Shaheen communicated with me that that's what they
14 would request.

15 So if that's the preference, then I
16 think we would propose to have these cases set for
17 contested hearing in mid-February or after --

18 THE HEARING EXAMINER: I have
19 notes -- Ms. Hardy, I have notes from an October 5th
20 docket hearing where Pride said that they were ready
21 to proceed to hearing by affidavit in Cases 23327 and
22 '28. So, Ms. Shaheen, was that correct?

23 MS. SHAHEEN: We were hopeful. The
24 parties, I understand, have actually reached an
25 agreement but have been unable to paper it up for some

1 reason.

2 We're very hopeful that it will get
3 papered up soon. We would like to set it for a
4 contested hearing on February 1st as an incentive to
5 get, I believe, it's Mewbourne and Marathon who are
6 papering up this resolution.

7 So we would be prepared to go to a
8 contested hearing. Ideally, even if it's not
9 completely papered up, I may reach out to counsel and
10 see whether Mewbourne and Marathon would be willing to
11 allow us to go forward by affidavit even if it's not
12 fully papered up on February 1st.

13 But if we could set it for a contested
14 hearing on February 1st, I think it would prompt the
15 parties to get the deal done, if you will.

16 THE HEARING EXAMINER: So,
17 Mr. Feldewert, are negotiations almost finished?

18 MR. FELDEWERT: So I can't speak to
19 that because it doesn't involve either one of my
20 clients in this --

21 THE HEARING EXAMINER: -- I thought you
22 were -- so, Ms. Bennett, then, are you representing --

23 MS. BENNETT: Yes, I represent
24 Marathon.

25 THE HEARING EXAMINER: Okay.

1 MS. BENNETT: And I cannot -- I do not
2 know if they're as close as Ms. Shaheen is saying. I
3 just don't have an answer on that either way.

4 I do know that they're in discussions,
5 but I haven't been privy to those discussions and
6 don't know the status of them.

7 THE HEARING EXAMINER: So it sounds to
8 me like these, one, two, three, four -- these five
9 cases should be set for a contested hearing in
10 February, and then if a deal is struck, then we'll go
11 by affidavit. Is that right, Ms. Shaheen?

12 MS. SHAHEEN: I think so. We would go
13 forward as a contested hearing if the deal is not
14 finalized, and we would go forward by affidavit if it
15 has been finalized.

16 THE HEARING EXAMINER: But,
17 Ms. Shaheen, what I'm confused about is my notes and
18 statements made during the October 5th docket were
19 related only to '27 and '28 and not to the Mewbourne
20 applications to proceed by affidavit.

21 So even if a deal was struck, would the
22 Mewbourne application still be contested?

23 MS. SHAHEEN: No, I'm not sure exactly
24 which of the Mewbourne applications are competing with
25 Pride's.

1 But I think that part of the resolution
2 of the issue is that Pride will be operating the east
3 half, and Mewbourne will be operating the west half.

4 So Mewbourne would dismiss any cases
5 that it has in the east half, and we wouldn't object
6 to their operations in their application to operate in
7 the west half, so.

8 And I apologize. I don't know which
9 numbers of Mewbourne relate to the east half and the
10 west half, but Ms. Hardy may be able to help us out
11 there.

12 THE HEARING EXAMINER: Okay. Well,
13 let's find a date. I don't think we can do the
14 beginning of February, but I think we can do
15 mid- February.

16 We don't have a -- we don't have a
17 prehearing order in place on these cases. Do we?

18 MS. HARDY: We do not. I believe we
19 had one at one point, but it was vacated so the
20 parties could continue their negotiations.

21 THE HEARING EXAMINER: Okay. So,
22 Ms. Apodaca, are you willing to commit to the --
23 February for a contested hearing? That would be
24 February 15th if my calendar is correct.

25 MS. APODACA: Yes, there's room on that

1 docket.

2 THE HEARING EXAMINER: Okay, good. So
3 then, we will get you a prehearing order for these
4 five cases to be heard on the 15th after the regularly
5 scheduled docket for a contested hearing. Is there
6 anything left with these cases?

7 MS. HARDY: Not from Mewbourne,
8 Mr. Examiner.

9 MS. SHAHEEN: And not from Pride, thank
10 you.

11 THE HEARING EXAMINER: Okay. So
12 February 15th, a contested hearing, a prehearing order
13 will be issued. Okay. Ms. Bennett, I would like to
14 talk about an email you sent me. This is as good a
15 time as any.

16 This has to do with a whole bunch of
17 Franklin Mountain cases. I know those are not on
18 today's status conference with COG, but I think we
19 have counsel for COG, Ms. Ryan, with us here as well.

20 So I just wanted to mention that there
21 were supposed to be some motions to vacate, a
22 prehearing order filed by parties. We don't have
23 those yet. What's the status of those?

24 MS. BENNETT: Thank you, Mr. Hearing
25 Examiner, and, actually, Mr. Feldewert is representing

1 COG in these cases, and he's on.

2 But also, they're -- and Ms. Hinkle --
3 I mean, Ms. Hinkle? Ms. Hardy is on, and she
4 represents Slash [ph] and Armstrong Energy [ph] in
5 these cases.

6 And I don't believe Jordan Kessler's
7 on, but she represents EOG [ph] in a couple of the
8 cases, so just for the record.

9 But I'm, even as we speak, preparing a
10 proposed motion to vacate the prehearing orders that I
11 intend to circulate to the counsel I just mentioned
12 with the goal of getting that filed today or tomorrow.

13 And then also I'm preparing -- I
14 coordinated with Mr. Feldewert yesterday about filing
15 continuances, and we each have a number of
16 continuances that we need to file.

17 And it's my understanding, at least, or
18 it's aspirational, that we include in our motions for
19 continuance the other case numbers that will be set
20 for the status conference as well so that you all have
21 that in the continuance motions.

22 So I've been preparing a form of
23 continuance motion that I plan to circulate to
24 Mr. Feldewert today and see if we can just each kind
25 of follow that form so that you have the information

1 you need.

2 So the motion to vacate, the prehearing
3 orders, and the continuances should be filed in short
4 order.

5 THE HEARING EXAMINER: Okay. So then
6 these cases, and I'm speaking of Cases 23841, '42,
7 '43, '44, '45, 23852, 24032 through '35, 23987, '88,
8 23980 through '8.

9 So all these cases, many of them, are
10 set for a contested hearing on January 4th. That's
11 why I'm asking about this motion to vacate the
12 prehearing order that is in place now.

13 And you are representing that your
14 motion is going to set all of these cases for a status
15 conference on February 1st.

16 MS. BENNETT: Yes.

17 THE HEARING EXAMINER: And what else
18 are you asking? What else will you be asking for in
19 your motion?

20 MS. BENNETT: The motion will be to
21 vacate the prehearing orders and set the cases for
22 status conference on February 1st. Those are the only
23 two things.

24 THE HEARING EXAMINER: Okay. And since
25 I'm going to be out next week on vacation, I think

1 Ms. Apodaca will be able to, as long as these are
2 filed along with the -- she can administratively move
3 those to the February 1st docket.

4 And we will -- I don't know. Do I need
5 to issue an order vacating the prehearing order?

6 MS. BENNETT: Yes.

7 THE HEARING EXAMINER: I do.

8 MS. BENNETT: I can prepare a proposed
9 motion --

10 THE HEARING EXAMINER: That'd be great.
11 Thank you.

12 MS. BENNETT: -- vacating the
13 prehearing order, and I can prepare a proposed
14 prehearing order setting all these cases for a status
15 conference on February 1st, if you think --

16 THE HEARING EXAMINER: So if I'm
17 vacating a prehearing order and then reissuing a
18 prehearing order, I don't know that that's necessary.
19 Is it?

20 MS. BENNETT: Okay, good question. I'm
21 not sure if that's necessary either.

22 I suppose as long as we all know that
23 these cases are consolidated for purposes of the
24 status conference on February 1st, then there's
25 perhaps nothing more needed to do on your end.

1 THE HEARING EXAMINER: Great. I'll
2 just grant the motion and vacate the prehearing order.

3 And then after the February 1st status
4 conference, we can issue an amended prehearing order
5 at that time, depending on how we're moving forward.
6 Is there any objection to that, to taking that route?

7 MR. FELDEWERT: No, so it sounds like
8 we do need to file continuances for each of our
9 respective --

10 THE HEARING EXAMINER: Yes.

11 MR. FELDEWERT: Okay, got it.

12 THE HEARING EXAMINER: Or else Sheila
13 won't be able to move them.

14 MR. FELDEWERT: Got it. Okay.

15 THE HEARING EXAMINER: Okay. Okay. Is
16 there anything left? Okay. Well, that was not on the
17 docket, but I needed to deal with that because we have
18 January 4th coming up.

19 And I won't be here next week. So
20 thank you for indulging me on that. Okay. So --

21 MS. BENNETT: -- got it, thank you.

22 THE HEARING EXAMINER: Okay. So I
23 think we dealt with all the cases up until Case No. 21
24 on the docket, which is 23959, COG Operating. We're
25 here for a status conference, I think.

1 MS. HARDY: Mr. Examiner, that's
2 correct, Dana Hardy with Hinkle Shanor on behalf of
3 COG Operating.

4 THE HEARING EXAMINER: Okay. What are
5 we doing with this case?

6 MS. HARDY: Mr. Examiner, I believe
7 Mr. Feldewert is appearing.

8 MR. FELDEWERT: Yes, I'm appearing for
9 XTO Energy, Inc.

10 THE HEARING EXAMINER: And you objected
11 to affidavit. Is that right?

12 MR. FELDEWERT: Yes, sir.

13 THE HEARING EXAMINER: Okay, very good.
14 Where are we going with this case, Ms. Hardy?

15 MS. HARDY: Mr. Examiner, COG would
16 like to have this case set for a contested hearing as
17 soon as possible. They have been negotiating with XTO
18 since September 1st when they sent their well
19 proposals [ph].

20 It's COG's view that the parties are
21 very close to an agreement, and there's no reason to
22 delay. And at this point, XTO has not brought
23 competing applications.

24 So this should be a short hearing, and
25 we'd like it to be set as soon as possible. I don't

1 think additional time is required. COG's ready to
2 commence drilling these wells.

3 In fact, other related wells have
4 already been heard, other related pooling cases. So
5 that's where COG's coming from.

6 THE HEARING EXAMINER: Thank you.
7 Mr. Feldewert?

8 MR. FELDEWERT: I think Ms. Hardy's
9 right. They're close to an agreement which would
10 avoid the filing of competing well proposals, so.

11 But, you know, if they need -- if they
12 feel like they need to set it for a contested hearing,
13 I understand that. I don't think they're -- there's
14 an immediate deadline.

15 My understanding is they're going to be
16 drilling in May. So we have time. So I don't know
17 what your docket looks like, you know, whether it's
18 February, March.

19 THE HEARING EXAMINER: Ms. Apodaca, do
20 we have room on the February 15th docket?

21 MS. APODACA: We do.

22 THE HEARING EXAMINER: Okay. We'll
23 issue a prehearing order setting this case for a
24 contested hearing February 15th.

25 MS. HARDY: Mr. Examiner, is there any

1 possibility of February 1st?

2 THE HEARING EXAMINER: I don't know.

3 Ms. Apodaca?

4 MS. APODACA: There's room on

5 February 1st, also.

6 THE HEARING EXAMINER: There is room
7 there.

8 MS. APODACA: So far, there is.

9 THE HEARING EXAMINER: Mr. Feldewert,
10 would you be ready for a February 1st contested
11 hearing?

12 MR. FELDEWERT: If we have to, yes.

13 THE HEARING EXAMINER: Ms. Hardy, does
14 that give you enough time to complete your
15 negotiations?

16 MS. HARDY: Yes. It would,
17 Mr. Examiner.

18 THE HEARING EXAMINER: All right.
19 We'll set it for February 1st. So, Ms. Apodaca, would
20 you issue a prehearing order for February 1st?

21 MS. APODACA: Yes.

22 THE HEARING EXAMINER: Is there
23 anything left for these cases?

24 MS. HARDY: Not from COG.

25 MR. FELDEWERT: No.

1 THE HEARING EXAMINER: Okay, very good.
2 We're going to move on to the first hearing. This is
3 Mewbourne Oil's application. It looks like for an
4 amendment to an order. Mr. Bruce, are you with us?

5 MR. BRUCE: Yes, sir.

6 THE HEARING EXAMINER: Okay, very good.
7 I'm calling Case No. 23688. I think that case stands
8 alone. Does it not?

9 MR. BRUCE: Yes.

10 THE HEARING EXAMINER: Okay, very good.
11 And then, do we have other party appearances?

12 MR. RANKIN: Mr. Examiner, Adam Rankin,
13 appearing on behalf of Colgate and Permian Resources
14 in this case.

15 THE HEARING EXAMINER: Okay, thank you.

16 MR. SAVAGE: Mr. Hearing Examiner, good
17 morning, Darin Savage with Abadie & Schill on behalf
18 of Cimarex Energy Company.

19 THE HEARING EXAMINER: Cimarex, okay,
20 very good. Do we have anyone else? Mr. Bruce?

21 MR. BRUCE: Yes, Mr. Examiner. This is
22 a compulsory pooling application.

23 Upfront, I would note that, at one
24 point, there was a -- the application actually sought
25 to vacate an order that covered part of this well unit

1 that had been obtained by Permian and Colgate.

2 But the parties have come to a
3 resolution on that, and I believe that particular
4 order has -- or case has been dismissed. It was up at
5 the commission level.

6 And then, Cimarex had some matters that
7 conflicted with the Permian application also, and I
8 think all those kind of went the way of the dinosaur.
9 And so this matter should be unopposed.

10 THE HEARING EXAMINER: Is that correct,
11 Mr. Savage, and, Mr. Rankin? Is it unopposed?

12 MR. RANKIN: That is correct. Thank
13 you.

14 MR. SAVAGE: Correct, Mr. Examiner. We
15 have filed -- I'm not sure if the order's been entered
16 yet, but we did file a stipulated notice of dismissal
17 of the pooling case that Mr. Bruce has referred to,
18 so. This pooling case ought to be able to proceed
19 unimpeded.

20 THE HEARING EXAMINER: Okay. So let me
21 look at the case file. So let's see what we have
22 here.

23 Do you have -- yes, notice of
24 withdrawal of objection from Mr. Rankin, I don't know.
25 Mr. Savage, did you also file a notice of withdrawal

1 of objection?

2 MR. SAVAGE: I don't remember objecting
3 to this.

4 THE HEARING EXAMINER: Oh, okay. Okay.

5 MR. SAVAGE: But I can certainly
6 double-check that, and I'll be glad to file anything I
7 need to file to get this to go forward.

8 THE HEARING EXAMINER: I don't know
9 that you do. So you're saying you never objected.

10 MR. SAVAGE: I don't believe so,
11 Mr. Hearing Examiner, but if we could, let's proceed.
12 And I'll verify that.

13 THE HEARING EXAMINER: Sounds good.
14 Mr. Bruce, I'm seeing you have Exhibits 1 through 7,
15 with sort of a light green color page.

16 And then you also have Part 1 -- or
17 light blue, Part 1 of 2 is light blue, 1 through 7 --

18 MR. BRUCE: -- Mr. Examiner, there are
19 seven exhibits total for this case. The blue one is
20 Part 1 of 2 that contains Exhibits 1, 2, and 3.

21 THE HEARING EXAMINER: Okay.

22 MR. BRUCE: And then the green-covered
23 one is Part 2 of 2 with Exhibits 4 through 7.

24 THE HEARING EXAMINER: Very good, okay.
25 Why don't you proceed?

1 MR. BRUCE: Mr. Examiner, in this case,
2 Mewbourne seeks to pool the north half, north half of
3 Sections 3 and 4 in Township 20 South, Range 29 East,
4 for purposes of drilling a third Bone Spring well at
5 Judge 3/4 B3AD at Town Wall No. 1H.

6 Exhibit 1 is the Pooling Checklist.
7 Exhibit 2 is the Landman's Affidavit containing the
8 usual exhibits, and I won't go through them quickly.

9 (Exhibit 1 and Exhibit 2 were marked
10 for identification.)

11 Just if anybody has any questions, it
12 contains all the usual requests and all the usual
13 data. Exhibit 3 is the Geologist's Affidavit, and it
14 contains a structure map, cross section.

15 (Exhibit 3 was marked for
16 identification.)

17 And it does show that the other Bone
18 Spring wells out here are all -- so it is a proper
19 orientation for the well.

20 Exhibit 4 is my Affidavit of Notice
21 with the letters and return receipts, Exhibit 5, the
22 Certified Notice Spreadsheet, 6, the Affidavit of
23 Publication, and then finally, Exhibit 7, is the
24 Application and Proposed Notice.

25 //

1 (Exhibit 4 through Exhibit 7 were
2 marked for identification.)

3 The order that Mewbourne originally
4 sought to vacate is R-21575, for your notes, but with
5 that, I think all the exhibits are complete and notice
6 is complete.

7 And I would move the admission of
8 Exhibits 1 through 7, plus the subparts of Exhibits 2,
9 3, and 4, and ask that the matter be taken under
10 advisement.

11 THE HEARING EXAMINER: Thank you,
12 Mr. Bruce. Are there any objections to exhibits being
13 taken into evidence?

14 MR. RANKIN: No objection.

15 THE HEARING EXAMINER: Thank you,
16 Mr. Rankin. Not hearing any objections, Exhibits 1, 2
17 and its subparts, 3 and its subparts, 4, 4A, 5, 6, and
18 7, are admitted into evidence. Mr. Garcia?

19 (Exhibit 1 through Exhibit 7 were
20 received into evidence.)

21 MR. GARCIA: Mr. Bruce, the other three
22 dredge [ph] wells that are to the south, those orders
23 have already been issued.

24 MR. BRUCE: Yes, sir. I don't have the
25 numbers in front of me, but --

1 MR. GARCIA: I see --

2 MR. BRUCE: -- okay.

3 MR. GARCIA: I just wanted to make sure
4 that those orders correlated to -- those order numbers
5 correlated to the other spacing units, I guess.

6 MR. BRUCE: Correct.

7 MR. GARCIA: And then, I'm assuming
8 because, Mr. Rankin, you are here on behalf of
9 Colgate, you have no objection to vacating Colgate's
10 order.

11 MR. RANKIN: Correct, Mr. Examiner. We
12 filed a notice of stipulated dismissal in that case.
13 I'm just going to pull it up here.

14 It was either -- everything's a blur to
15 me these days, but I believe that we filed it and
16 served, actually, as it turns out, this week, I think.

17 And it seeks to dismiss or stipulates a
18 dismissal of Order No. R-21575.

19 MR. GARCIA: Okay. I think that's all
20 my questions. Thank you, Mr. --

21 THE HEARING EXAMINER: Mr. Garcia,
22 okay. You're done with your questions. Mr. Rankin, I
23 don't see that motion or that notice. What did you
24 title it?

25 MR. RANKIN: It's in a different case

1 file, Mr. Examiner. It's an overlapping case. So you
2 wouldn't see it in Mr. -- case. Okay? It's in a
3 different overlapping case. Yeah.

4 THE HEARING EXAMINER: Okay. Thank
5 you. And so, Mr. Bruce, we'll take this case
6 advisement, and we will now move on to another amended
7 application or application for amendment, 23795.

8 MR. BRUCE: Yes, the four cases should
9 be -- together here.

10 THE HEARING EXAMINER: Oh, because
11 you're just presenting Affidavits of Publication from
12 another hearing.

13 MR. BRUCE: That is correct.

14 THE HEARING EXAMINER: -- thank you,
15 sir. So I'm calling 23795, '96, '97, and '98. Thank
16 you, Mr. Bruce. Do we have any other counsel present
17 besides yourself for these cases?

18 MR. BRUCE: No, we do not.

19 THE HEARING EXAMINER: Okay.
20 Mr. Bruce, we're here to get some additional
21 information from you.

22 MR. BRUCE: This will be very brief. I
23 have only two things. I filed -- this was heard back
24 in mid-November, or maybe it was -- or, yeah, that is
25 correct. And I messed up one of the Publication

1 Notices.

2 So I asked that it be continued to this
3 date, and so attached are exhibits, submitted as
4 Exhibits 6A and 6B are the Affidavits and Publication
5 from the Carlsbad newspaper and the Hobbs newspaper.

6 (Exhibit 6A and Exhibit 6B were marked
7 for identification.)

8 There are two affidavits because part
9 of the lands are in Eddy County, and part of the lands
10 are in Lea County.

11 And with that, notice is complete, and
12 I'd ask that Exhibit 6A and 6B be admitted into the
13 record, and the matter be taken --

14 THE HEARING EXAMINER: -- okay.

15 Mr. Bruce, I'm looking for the exhibits you filed. So
16 help me find what you're talking about.

17 MR. BRUCE: They have orange covers on
18 them. I filed one in each case file.

19 THE HEARING EXAMINER: Hold on a
20 second. Let me find it, 23795, okay, '795. I'm going
21 to look at 23795 as an example. Okay. I do see an
22 orange, and, Mr. Garcia, I'm sure you see it as well.

23 And I do see 6A and 6B. Mr. Garcia,
24 have you had a chance to look at these exhibits?

25 MR. GARCIA: I have.

1 THE HEARING EXAMINER: Any questions on
2 these exhibits?

3 MR. GARCIA: Yeah. I just have one
4 question, Mr. Bruce. On Cases 23795 and '796, it
5 looks like you guys are trying to additionally pool a
6 Riverhill [ph] company, Riverhill Energy
7 Corporation [ph].

8 MR. BRUCE: Yeah. There were two --
9 yeah, there were two entities that -- I don't have
10 that right in front of me right now, but they received
11 actual notice.

12 So Riverhill [ph] -- actual notice, and
13 that's in the file that -- the filing that was done in
14 October.

15 MR. GARCIA: Okay. I was just looking
16 because -- okay, because you guys started talking with
17 them on 4/24. We heard this case on 4/20. So
18 you -- time.

19 MR. BRUCE: Correct. I think that's
20 right. Yeah.

21 MR. GARCIA: Okay. When I first saw
22 that date, it looked like you guys had communicated
23 prior to the order being issued, which is true, but it
24 looked like you missed the hearing by four days, I
25 guess.

1 So I guess my question is, since you
2 guys started talking right after hearing but before
3 order was issued, how -- to let us know about it?

4 MR. BRUCE: Now, excuse me. Again,
5 what was that?

6 MR. GARCIA: The original case was
7 heard on April 20th. You guys started having
8 communication with Riverhill [ph] on April 24th. We
9 didn't issue an order until like May.

10 So I guess I'm just curious on why it's
11 been so long since -- we were still reviewing the case
12 when you started communicating to them, so. I guess
13 in the future --

14 MR. BRUCE: I see. I see what you're
15 saying. Yeah. We filed the case, and then we filed
16 an amendment to add additional parties. And that's
17 these four cases. There was something heard in the
18 spring, and then these came up later.

19 MR. GARCIA: Okay, yeah. I have no
20 other questions for now other than if, in the future,
21 we can consolidate some of the exhibit packets --

22 MR. BRUCE: -- okay, will do.

23 THE HEARING EXAMINER: All right. And,
24 Mr. Bruce, I'm looking through each of the four cases,
25 and I do find the notice of filing an additional

1 document. So I am going to receive into evidence
2 Exhibits 6A and 6B in Case Nos. 23798, 23797, 23796,
3 and 23795.

4 (Exhibit 6A and Exhibit 6B were
5 received into evidence.)

6 Is there anything left for us to do,
7 Mr. Bruce?

8 MR. BRUCE: The only thing is I would
9 wish Merry Christmas to you and the division personnel
10 and all my friend attorneys still listening in. Have
11 a good weekend.

12 THE HEARING EXAMINER: Merry Christmas
13 to you, too, and these four cases will be taken under
14 advisement.

15 MR. BRUCE: Thanks.

16 THE HEARING EXAMINER: You're welcome.
17 I am calling Case No. 27 on the docket. That is
18 23953. It is a Mewbourne Oil case.

19 MR. FELDEWERT: Good morning,
20 Mr. Examiner, Michael Feldewert, Santa Fe Office of
21 Holland & Hart, and here on behalf of the applicant.

22 THE HEARING EXAMINER: Are we
23 proceeding by hearing by affidavit?

24 MR. FELDEWERT: Yes, sir, by
25 Self-Affirmed Statement.

1 THE HEARING EXAMINER: By a
2 Self-Affirming Statement, okay. So please, proceed.

3 MR. FELDEWERT: Sure. So you'll see
4 from the filings in this particular case Mewbourne
5 seeks an order approving what they call a "Cousin
6 Eddy [ph] Federal Unit," which consists of
7 approximately 9,612 acres of state and federal lands,
8 some of which are situated in Eddy County and some of
9 which are situated in Lea County.

10 This is a purely voluntary unit for
11 purposes of primary development of this acreage, and
12 under the unit agreement, they will form a unit that
13 will cover all depths below the top of the Bone Spring
14 formation, with the initial development targets being
15 various intervals within the Bone Spring formation and
16 the Wolfcamp formation.

17 You'll see that our exhibit package
18 includes the application, and then it includes an
19 Exhibit A, which is the statement, Self-Affirmed
20 Statement, of Mewbourne's Landman in this matter, who
21 has attached to the statement the proposed unit
22 agreement which has been, as she testified, given
23 preliminary approval by both the Bureau of Land
24 Management and the State Land Office.

25 //

1 (Exhibit A was marked for
2 identification.)

3 She's also attached them as
4 Exhibits A2, the Approval Letters from both the State
5 Land Office -- Preliminary Approval Letters from both
6 the State Land Office and the BLM, Bureau of Land
7 Management; that's Exhibits A2 and A3.

8 (Exhibit A2 and Exhibit A3 were marked
9 for identification.)

10 And then Exhibit A4 is a list of the
11 Uncommitted Working Interest Owners. We gave them
12 notice of this hearing since they're not committed
13 yet, but they anticipate commitment from these parties
14 eventually.

15 (Exhibit A4 was marked for
16 identification.)

17 Exhibit B, then, if the Geology -- or
18 Statement from the Geologist who has provided you the
19 structure map for both the Bone Spring and the
20 Wolfcamp formations, which are the initial primary
21 targets, and you'll see that within each of these
22 maps, he's outlined with a red dash the proposed unit
23 area.

24 (Exhibit B was marked for
25 identification.)

1 And just so you know, the brown wells
2 that you see in there are Delaware wells. They're not
3 Bone Spring or Wolfcamp wells.

4 Exhibit B3, it contains Stratigraphic
5 Cross Sections that he has put together from A-A Prime
6 for the intervals, and then they include not only A-A
7 Prime but another one for B-B Prime and then another
8 one from C-C Prime. So he's actually provided you
9 three structural cross sections.

10 (Exhibit B3 was marked for
11 identification.)

12 And then finally, Exhibit C is the
13 affidavit from my office indicating that notice was
14 provided by certified mail to the, at that time, it
15 was the uncommitted working interest owners.

16 (Exhibit C was marked for
17 identification.)

18 You'll see that the list is larger and
19 includes more parties than the two remaining ones,
20 which are OXY and MRC Hat [ph] that have not committed
21 yet but they received actual notice.

22 And any other key interest owners that
23 you see on there, at this point, have already
24 committed to the unit.

25 We have an Exhibit D in there, which is

1 the Affidavits of Publication for both Eddy County and
2 Lea County. They were published on different dates in
3 November, which is why we continued this matter to
4 now.

5 (Exhibit D was marked for
6 identification.)

7 But you'll see that those are really
8 not needed because the two remaining working interest
9 owners we identified, OXY and MRC [ph], received
10 actual notice, and they're the only two remaining
11 working interest owners that are not committed.

12 So with that, we would move the
13 admission of Exhibits A, B, C, and D, and we ask that
14 this application for the voluntary unit be taken under
15 advisement by the division.

16 THE HEARING EXAMINER: Okay. Thank
17 you, Mr. Feldewert. Exhibits A, subparts, B,
18 subparts, C, and D are all admitted into evidence.

19 (Exhibit A through Exhibit D were
20 received into evidence.)

21 Mr. Garcia, any questions?

22 MR. GARCIA: I have a question. It
23 might be a personal learning question, Mr. Feldewert.
24 The unit's typically voluntary, as you said.

25 When you have uncommitted interests, do

1 you just keep negotiating with them, or do you
2 eventually have to compulsory pool them or --

3 MR. FELDEWERT: No. As Mr. Chakalian
4 knows, we had a discussion about statutory units at
5 the last docket, and that is the only mechanism
6 available to force parties into a unit.

7 And those statutory units are limited
8 to units per secondary recovery, you know. You can't
9 use it for primary recovery like we have here.

10 What happens is if, for whatever
11 reason, the working interest owners don't commit to
12 the unit, then you have what you call "windows" within
13 the unit that are not committed.

14 MR. GARCIA: Okay --

15 MR. FELDEWERT: And those windows then
16 are developed on a spacing unit basis as they're
17 developed with the uncommitted working interest owner
18 receiving its share based on the spacing unit, and the
19 remaining acreage that would be committed to the unit
20 that would be shared on a unit basis.

21 MR. GARCIA: Okay. Yeah, I guess it
22 just caught me off guard when I saw "unopposed"
23 because I always thought they were committed --

24 MR. FELDEWERT: Yeah. No, you can't
25 force them in. So you know, it's voluntary --

1 MR. GARCIA: -- with that, and it makes
2 sense. I guess, I just ask, if somehow negotiations
3 break down and they don't commit, you know, would you
4 just give us an update, I guess, on this, or, I
5 guess -- I'm not sure how that would affect our order.
6 But --

7 MR. FELDEWERT: Yeah. I think your
8 order requires the submission of a final approval
9 letter and the unit agreement with the signatory
10 parties, so at least traditionally, it has. So you
11 would have that.

12 MR. GARCIA: Okay.

13 MR. FELDEWERT: I mean, but my
14 understanding is there going to commit. They just
15 haven't done it yet.

16 MR. GARCIA: Yeah. I was just curious
17 because it caught me off guard because I'm used to
18 units coming through, everyone's onboard.

19 MR. FELDEWERT: Yeah, yeah. And, you
20 know, and I do want to say with one caveat.

21 I mean, you have to demonstrate to the
22 BLM and the State Land Office that you have sufficient
23 working interest control to effectively conduct unit
24 operations.

25 So you know, you do pay attention to

1 the uncommitted interests, but here, they got
2 sufficient interests for the BLM and the State Land
3 Office to proceed with unit operations even if these
4 two working interest owners don't voluntarily commit.

5 MR. GARCIA: Yeah, yeah. Thank you,
6 though.

7 MR. FELDEWERT: Yeah.

8 THE HEARING EXAMINER: Does that
9 conclude your presentation for this case,
10 Mr. Feldewert?

11 MR. FELDEWERT: Yes, sir.

12 THE HEARING EXAMINER: Okay.

13 Mr. Garcia doesn't have any other questions, neither
14 do I. So this case will be taken under advisement.

15 We're now going to call 24005.

16 Mr. Feldewert, is this your case?

17 MS. MCLEAN: Hi. This is --

18 MR. FELDEWERT: No.

19 MS. MCLEAN: Hi, Jackie McLean from
20 Hinkle Shanor on behalf of Permian Resources.

21 THE HEARING EXAMINER: Good morning,
22 Ms. McLean.

23 MS. MCLEAN: Good morning.

24 MR. FELDEWERT: Good morning,
25 Mr. Examiner. I am on this case in the sense that I

1 am appearing for -- I've appeared for MRC Permian
2 Company.

3 I'm also going to appear for MRC
4 Delaware Resources, LLC, which is the entity listed by
5 the applicant in their exhibits.

6 And I think the only thing I would
7 point out, Ms. McLean, is that I understand from the
8 representation that MRC Delaware Resources does not
9 have a working interest and that it has a record title
10 interest and then an override.

11 So we appreciate receiving that
12 information, and we have no objection to this matter
13 proceeding by affidavit.

14 THE HEARING EXAMINER: Okay.
15 Ms. McLean?

16 MS. MCLEAN: Thank you. And I also
17 just wanted to mention that we had intended to present
18 24005 and 24006 together this morning.

19 THE HEARING EXAMINER: Yes, please,
20 proceed.

21 MS. MCLEAN: Thank you. In Case
22 Nos. 24005 and 24006, Permian Resources is seeking to
23 pool all uncommitted interest in the Bone Spring
24 formation in the south half of Sections 8 and 9,
25 Township 19 South, Range 28 East, in Eddy County.

1 And more specifically, Case No. 24005
2 concerns pooling all uncommitted interests in the Bone
3 Spring formation underlying a 320-acre, more or less
4 standard horizontal spacing unit comprised of the
5 north half, south half of Sections 8 and 9.

6 And that unit would be dedicated to the
7 Klondike 9 State Com No. 123H and No. 133H Walls.

8 And then, in Case No. 24006, Permian
9 Resources' application seeks to pool all uncommitted
10 interests in the Bone Spring formation underlying a
11 320-acre, more or less standard horizontal spacing
12 unit comprised of the south half, south half of
13 Sections 8 and 9, Township 19 South, Range 28 East.

14 And that unit would be dedicated to the
15 Klondike 9 State Com No. 124H and No. 134H Walls.

16 The exhibit packets that were submitted
17 to the division for Case Nos. 24005 and 24006 contain
18 Exhibit A, the Land Professional Testimony of Mark
19 Haddock.

20 (Exhibit A was marked for
21 identification.)

22 Mr. Haddock has testified previously
23 and is an expert in petroleum land matters. And
24 attached to his testimony are the standard land
25 exhibits, plat of tracts, owner interests, pooled

1 parties, well proposal letters, and AFEs, and a
2 summary of communications.

3 We have Exhibit B, Geology Testimony of
4 Christopher Canton, who has also previously testified
5 before the division as an expert in petroleum geology.

6 (Exhibit B was marked for
7 identification.)

8 And Mr. Canton's geology exhibits
9 include a regional locator map, cross section map,
10 Bone Spring subsea structure [ph] maps, stratigraphic
11 cross section, and a gun barrel [ph] development plan.

12 Finally, we have Exhibit C, which is
13 Notice Testimony and related exhibits, that show when
14 the notice letter was sent to the parties to be
15 pooled, copies of all the certified mail green cards,
16 and white slip returns, and an Affidavit of
17 Publication that shows we timely published notice on
18 November 21, 2023.

19 (Exhibit C was marked for
20 identification.)

21 And I'm happy to answer any questions
22 and ask that Exhibits A, B, and C be admitted into the
23 record in Case Nos. 24005 and 24006 and that these
24 cases be taken under advisement.

25 THE HEARING EXAMINER: Let's start with

1 24005, Ms. McLean. Are there any objections to these
2 exhibits?

3 MR. FELDEWERT: No, sir.

4 THE HEARING EXAMINER: Okay.
5 Exhibits A, B, C, and their subparts are admitted into
6 evidence. Mr. Garcia?

7 (Exhibit A, Exhibit B, and Exhibit C
8 were received into evidence.)

9 MR. GARCIA: I don't have any
10 questions.

11 THE HEARING EXAMINER: Okay. Now,
12 let's go to -- all right. This case will be taken
13 under advisement. Now, let's go to 24006, and that
14 takes me a moment to get to, so.

15 Okay. Now, Ms. McLean, we have
16 Exhibits A, B, C, and subparts. Any objections,
17 Mr. Feldewert?

18 MR. FELDEWERT: No, sir.

19 THE HEARING EXAMINER: Exhibits A, B,
20 C, and their subparts are admitted into evidence.
21 Mr. Garcia, any questions?

22 (Exhibit A, Exhibit B, and Exhibit C
23 were received into evidence.)

24 MR. GARCIA: No questions.

25 THE HEARING EXAMINER: Okay.

1 Ms. McLean, both cases will be taken under advisement.
2 Thank you for your presentation.

3 MS. MCLEAN: Thank you, Mr. Hearing
4 Examiner.

5 MR. FELDEWERT: Mr. Chakalian,
6 Mr. Garcia, and, Ms. Apodaca, I'm done for the day.
7 I'm going to wish you a Merry Christmas -- enjoy the
8 time off.

9 THE HEARING EXAMINER: Merry Christmas.

10 MR. FELDEWERT: We'll make sure we --
11 we'll make sure we file a bunch of motions for you
12 next week, Mr. Chakalian.

13 THE HEARING EXAMINER: Appreciate it,
14 and finally, we are calling Case No. 30 on the docket.
15 It is Case 24030.

16 MS. VANCE: That's correct. Good
17 morning, Mr. Hearing Examiner, Paula Vance with the
18 Santa Fe Office of Holland & Hart on behalf of the
19 applicant.

20 THE HEARING EXAMINER: Good morning,
21 and I think you're proceeding by affidavit. Is that
22 correct?

23 MS. VANCE: That's correct. I'm not
24 sure if you want me to go ahead and start.

25 THE HEARING EXAMINER: I do, yes.

1 MS. VANCE: So I previously presented
2 this case at the last hearing, and in this instance,
3 we were just here because I needed to continue the
4 case to perfect the Notice of Publication.

5 Unfortunately, the newspaper was unable
6 to publish in time to meet the ten business days, and
7 so we have met that time frame now.

8 We have perfected the notice
9 requirement, and since I already presented it at the
10 last hearing, I would just ask that this case be taken
11 under advisement at this time.

12 THE HEARING EXAMINER: So I'm looking
13 at your exhibits that were filed for the hearing two
14 weeks ago. Which exhibit are you talking about?

15 MS. VANCE: It is Exhibit F; it is the
16 very last page.

17 THE HEARING EXAMINER: Okay. Let me
18 get to it, and, Mr. Garcia, I didn't know if you've
19 had a chance to look at Exhibit F.

20 MR. GARCIA: I don't remember what F
21 is, so let me go there real quick.

22 THE HEARING EXAMINER: Ms. Vance, what
23 page number of the PDF would that be?

24 MS. VANCE: I believe it should be the
25 last page, Page 23.

1 THE HEARING EXAMINER: Okay, the
2 Affidavit of Publication --

3 MS. VANCE: That's correct.

4 THE HEARING EXAMINER: I'm looking
5 for -- there it is. So it's in the bottom right
6 corner where it says "Exhibit No. F." Okay. So,
7 Ms. Vance, would you demonstrate here why this was not
8 sufficient on December 7th and why it is now?

9 MS. VANCE: So I believe we were, if
10 I'm doing my dates correctly, we presented at the
11 December 7th, and this publication was for
12 November 24th. And we were required to publish by
13 November 22nd if memory serves me right.

14 And so we just needed to allow that
15 time to lapse to meet that ten-day business time
16 frame.

17 THE HEARING EXAMINER: Mr. Garcia?

18 MR. GARCIA: I'm okay with the
19 notice --

20 THE HEARING EXAMINER: Are there any
21 other questions on this case?

22 MR. GARCIA: Yeah. I guess I'm just
23 confused on why your contract -- pool depth from most
24 of the Bone Springs to 300 feet now.

25 MS. VANCE: Sure, I'm happy to explain.

1 I gave a brief summary of it at the initial hearing on
2 December 7th. Essentially, we previously pooled in a
3 different case, which was from the top of the Bone
4 Spring to, I believe, it was the entire Bone Spring in
5 a different case.

6 And then, in the last hearing, I
7 presented a case in which we pooled a 2-mile well
8 overlapping that previous case that we had an order
9 for, and so the case I presented in conjunction with
10 this case at the December 7th hearing was just for the
11 first Bone Spring.

12 And so in this case -- or in that
13 previous case, what we wanted to do was just pool the
14 second Bone Spring. Essentially, it's just separating
15 out the two spacing units.

16 I probably butchered trying to explain
17 that, but just for clarity, we have pooled a 2-mile
18 well in the first Bone Spring.

19 And that she be Case 24029, which I
20 presented at the December 7th hearing, and then this
21 case is to contract the vertical extent that was
22 pooled in a different case, which was originally
23 Case 23395.

24 And in that case, it was a 2 1/2-mile
25 Bone Spring well, and so essentially, these will be a

1 1-mile well in the first Bone Spring and then a
2 2 1/2-mile well in the second Bone Spring without
3 having overlap, just pooling the different targets for
4 those spacing units.

5 MR. GARCIA: Okay, so. Yeah, I see
6 what you're saying. It's just, I guess, different,
7 so.

8 MS. VANCE: Yes.

9 MR. GARCIA: Okay. That's all my
10 questions.

11 THE HEARING EXAMINER: Ms. Vance, part
12 of the problem here is that we don't have the
13 transcript from December 7th. That's why I asked you
14 to go back over that again.

15 And, Ms. Apodaca, do we normally have
16 the transcript two weeks later posted?

17 MS. APODACA: Typically, I think they
18 have two weeks to get it to us, and earlier this week,
19 I was talking with the court reporter. They had
20 questions on names of witnesses and stuff.

21 So I think we should be getting it
22 soon.

23 THE HEARING EXAMINER: Okay. And then
24 that transcript is posted to every case that was heard
25 at that time.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. APODACA: Yes.

THE HEARING EXAMINER: Okay. Okay.
Ms. Vance, there's no more questions, and you've
perfected your notice. So this case will be taken
under advisement. Merry Christmas to you.

MS. VANCE: Merry Christmas to you.
Thank you, and hopefully, I explained that well. Have
a wonderful afternoon.

THE HEARING EXAMINER: Thank you.
Okay. This concludes today's Oil Conservation
Division Hearing Docket, and Merry Christmas to anyone
who is still on.

And I see Ms. Bennett --

MS. BENNETT: -- everybody.

THE HEARING EXAMINER: Ms. Bennett, did
you have something else to -- no, there you go. Okay.
All right. John, I'm going to sign off.

MR. GARCIA: Thank you.

THE HEARING EXAMINER: Take care.

MR. GARCIA: You, too.

(Whereupon, the meeting concluded at
10:17 a.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF DEPOSITION OFFICER

I, DANA FULTON, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



DANA FULTON
Notary Public in and for the
State of Missouri

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF TRANSCRIBER

I, AMY DAMOTH, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



AMY DAMOTH

[& - 24032]

&	19th 54:2	23179 1:9	23959 1:13
& 2:9,10,11,16 2:17 58:1,7 71:17 81:21 93:18	1h 74:5	57:12	67:24
	1st 60:4,12,14 65:15,22 66:3 66:15,24 67:3 68:18 70:1,5 70:10,19,20	23327 1:9 57:12 58:20 59:21	23980 65:8 23987 65:7 24 36:3,20
1	2	23328 1:10 57:21,23	24005 1:13 4:15 88:15 89:18,22 90:1 90:17 91:23 92:1
1 3:4 5:7 9:8,25 13:22,25 14:2 14:8 17:20 30:3,22 31:1 34:10 46:16 73:14,16,17,17 73:20,20 74:6 74:9 75:8,16 75:19 97:1 1/2 96:24 97:2 10:17 98:22 123h 90:7 124h 90:15 12th 53:22 54:9 54:9,22 55:13 56:11 57:3 133h 90:7 134h 90:15 14,000 41:13 15 5:7 16:25 17:20 21:19 15th 54:4,11 62:24 63:4,12 69:20,24 16 57:11 19 89:25 90:13 1960s 9:5 1984 27:15	2 3:5 9:9 73:17 73:20,20,23,23 74:7,9 75:8,16 96:7,17,24 97:2 20 12:2 16:25 57:11,20 74:3 200 49:4 2023 1:19 5:2 91:18 20th 80:7 21 1:19 67:23 91:18 21575 75:4 76:18 22 36:20 22869 8:10 14:18 17:19 22869a 18:14 22871 33:14 22nd 95:13 23 5:9 36:20 94:25 23088 33:13 23177 1:9 57:12 58:20	23345 1:10 57:12 58:20 23395 96:23 23614 1:10 5:8 11:19 18:18 23615 1:10 23616 1:11 23617 1:11 5:8 11:20 18:18 23688 1:11 3:3 71:7 23775 1:11 5:9 11:20 18:18 23795 1:12 3:13 77:7,15 78:20,21 79:4 81:3 23796 1:12 3:13 81:2 23797 1:12 3:13 81:2 23798 1:12 3:13 81:2 23841 65:6 23852 65:7 23953 1:13 4:3 81:18	24006 1:13 4:21 89:18,22 90:8,17 91:23 92:13 24018 1:14 5:9 11:22 12:2,4,7 20:19 24019 1:14 11:22 12:4 24020 1:14 11:22 12:4 24021 1:14 36:3,20 24022 1:15 24023 1:15 24024 1:15 24025 1:15 11:23 12:5 24026 1:16 24027 1:16 5:9 24029 96:19 24030 1:16 93:15 24032 65:7

[24th - actually]

<p>24th 80:8 95:12 25 12:2 26 36:3,20 26522 99:19 26567 100:15 27 12:8 20:19 36:3,20 61:19 81:17 28 58:21 59:22 61:19 89:25 90:13 29 74:3 29th 53:8,13 54:20,24 55:2</p>	<p>43 65:7 44 65:7 45 65:7 4a 75:17 4th 54:1,2 65:10 67:18</p>	<p>796 79:4 7th 95:8,11 96:2,10,20 97:13</p>	<p>a2 4:5 83:4,7,8 a3 4:6 83:7,8 a4 4:7 83:10,15 abadie 2:16 71:17 ability 35:3 99:10 100:7 able 25:8 38:6 50:12 53:12 62:10 66:1 67:13 72:18 above 33:16 absolutely 24:15 accept 17:24 37:9 acceptance 32:21 account 32:2 accurate 7:4 99:9 100:5 acre 90:3,11 acreage 10:4 41:11 82:11 86:19 acres 41:13 82:7 act 19:5 acting 8:13 action 99:12,16 100:8,12 actual 79:11,12 84:21 85:10 actually 9:10 15:10 23:19,21</p>
<p>3</p>	<p>5</p>	<p>8</p>	
<p>3 3:6 73:20 74:3,13,15 75:9,17 3/4 74:5 30 93:14 300 95:24 320 90:3,11 35 65:7 39th 54:20 3rd 55:10 56:25</p>	<p>5 3:8 74:21 75:17 5528962 1:24 5th 53:13 59:19 61:18</p>	<p>8 65:8 89:24 90:5,13 80 46:15 80s 9:23 18:25 28:13 44:12 83/85 4:4,5,6,7 4:8 84/85 4:9,10 85/85 4:11 87505 1:22 88 65:7 8:15 1:20</p>	
<p>3</p>	<p>6</p>	<p>9</p>	
<p>3 3:6 73:20 74:3,13,15 75:9,17 3/4 74:5 30 93:14 300 95:24 320 90:3,11 35 65:7 39th 54:20 3rd 55:10 56:25</p>	<p>6 3:9 74:22 75:17 60s 30:23 44:15 6a 3:14 78:4,6 78:12,23 81:2 81:4 6b 3:15 78:4,6 78:12,23 81:2 81:4</p>	<p>9 89:24 90:5,7 90:13,15 9,612 82:7 90/92 4:16,22 91 33:13 91/92 4:17,18 4:23,24 96 77:15 97 77:15 98 77:15 9:22 57:6 9:27 57:6,10</p>	
<p>4</p>	<p>7</p>	<p>a</p>	
<p>4 3:7 73:23 74:3,20 75:1,9 75:17 4/20 79:17 4/24 79:17 42 65:6</p>	<p>7 3:10 73:14,17 73:23 74:23 75:1,8,18,19 72 33:14 74/75 3:4,5,6 75/75 3:7,8,9 3:10 78/81 3:14,15 79 58:20 795 78:20</p>	<p>a a.m. 1:20 57:10 98:22</p>	

[actually - appealing]

<p>25:4 59:24 63:25 71:24 76:16 84:8 adam 2:10 5:12 71:12 add 41:6 80:16 addition 34:15 49:7 additional 6:6 6:11 69:1 77:20 80:16,25 additionally 79:5 address 12:15 40:8 48:23 addressed 18:2 35:16 49:12 adjustments 10:6 administrative 43:17 45:16 47:1 administrativ... 66:2 admission 75:7 85:13 admitted 75:18 78:12 85:18 91:22 92:5,20 adversely 26:20 advisement 17:8 75:10 77:6 81:14 85:15 88:14</p>	<p>91:24 92:13 93:1 94:11 98:5 afes 91:1 affect 10:22,24 46:8 87:5 affecting 26:20 affidavit 3:5,6 3:7,9,14,15 4:10 59:21 60:11 61:11,14 61:20 68:11 74:7,13,20,22 81:23 84:13 89:13 91:16 93:21 95:2 affidavits 4:11 77:11 78:4,8 85:1 affirmed 81:25 82:19 affirming 4:4 82:2 afternoon 98:8 agency 7:3 ago 5:6 51:24 94:14 agree 20:11 22:2 24:15 27:2 51:21 agreed 6:3 agreement 59:25 68:21 69:9 82:12,22 87:9</p>	<p>agrees 53:4 ahead 12:18 33:1 38:4 93:24 alleged 34:24 allow 15:12 40:2 44:25 45:17 56:7 60:11 95:14 allowed 43:9 55:14 alternative 10:11 amend 9:17 10:14 19:10 27:9,14,18 29:10,18 30:6 50:15 amended 67:4 77:6 amendment 71:4 77:7 80:16 amount 59:9 amy 100:2,16 analysis 14:13 35:21 38:16 39:1 41:23 andres 9:7,12 10:1,3 28:21 28:25 29:22 30:24 32:5 34:16 35:15 39:7,20 44:4 44:11,14,17</p>	<p>49:18 andrews 2:17 58:1 angle 51:8 answer 47:10 61:3 91:21 answers 41:10 42:15 49:23 anticipate 83:13 anybody 74:11 anyone's 41:4 43:13 47:2 anyways 42:17 apodaca 2:5 62:22,25 66:1 69:19,21 70:3 70:4,8,19,21 93:6 97:15,17 98:1 apologize 54:17 62:8 apparently 44:2,9 appeal 17:19 21:12,21 22:11 24:7 26:3,10 29:19 42:16 43:3,8,11 47:7 47:12 appealed 45:21 46:13 appealing 14:17 26:12,14</p>
--	--	--	--

[appeals - based]

<p>appeals 20:18 appear 89:3 appearances 5:10 57:13 71:11 appeared 28:18 89:1 appearing 5:12 5:19 68:7,8 71:13 89:1 appears 42:1 apple 27:22 applicable 45:3 45:19 applicant 81:21 89:5 93:19 application 3:10 8:4,15 18:15 19:7,22 29:18 30:7 61:22 62:6 71:3,22,24 72:7 74:24 77:7,7 82:18 85:14 90:9 applications 8:3 9:17 10:14 10:17 11:3 18:17,22 19:9 19:20,23 20:6 22:1,4,8 33:11 36:6 48:22 49:16,19 50:15 53:11,16 59:2 59:3 61:20,24</p>	<p>68:23 applies 24:17 apply 45:3,18 appreciate 34:5 89:11 93:13 approach 44:3 51:21 appropriate 10:16 12:18 15:7 27:19,25 28:10 29:3 32:18,24 33:5 appropriately 32:12 approval 4:5,6 82:23 83:4,5 87:8 approved 8:5 approving 82:5 approximately 82:7 april 80:7,8 area 8:16,25 10:1 13:23 14:9 21:7 30:24 35:5 42:6 83:23 argued 27:11 arguing 13:14 48:5 52:3 argument 30:1 36:2 48:23 51:10 arguments 6:25 10:10</p>	<p>48:14 armstrong 64:4 artificial 36:14 36:25 aside 20:13 31:21 35:9 asked 22:15 43:25 78:2 97:13 asking 10:23 17:7 27:9 54:10 65:11,18 65:18 aspects 47:1 aspirational 64:18 assessment 38:22 assuming 46:22 53:4 76:7 attached 78:3 82:21 83:3 90:24 attack 19:12 27:14 30:2 attendees 2:2 attention 54:18 87:25 attorney 99:14 100:10 attorneys 81:10 audio 99:8 100:3 authority 11:4 11:7,10 13:2</p>	<p>13:18 16:11 20:12 24:7 32:11 49:17,19 authorization 8:1 authorize 8:5 authorized 9:3 10:2 13:19 available 86:6 avoid 69:10</p>
			b
			<p>b 3:1 4:1,8,17 4:23 83:17,24 84:7,7 85:13 85:17 91:3,6 91:22 92:5,7 92:16,19,22 b3 4:9 84:4,10 b3ad 74:5 back 9:23 24:19 27:14 29:19 30:23 57:6,10 77:23 97:14 background 16:14,21 bad 21:24 baeza 18:16 27:11 31:2,21 barrel 91:11 barrels 26:18 49:11 based 7:9 16:2 30:7 35:20 39:2,2 48:1</p>

[based - carlsbad]

<p>86:18 bases 46:11,14 basically 19:12 20:20 21:9 basis 9:10 10:7 20:5 30:6 35:20 39:25 86:16,20 bear 19:11 beginning 12:7 62:14 behalf 5:12,18 5:19 57:15 58:1,13,18 68:2 71:13,17 76:8 81:21 88:20 93:18 belief 34:24 believe 10:5,16 11:13 17:22 32:11,12 36:10 36:22 40:2 49:13 57:19 59:7 60:5 62:18 64:6 68:6 72:3 73:10 76:15 94:24 95:9 96:4 beneficial 39:17 benefit 52:18 benefiting 43:12</p>	<p>benefits 29:11 bennett 2:7 58:16,17 60:22 60:23 61:1 63:13,24 65:16 65:20 66:6,8 66:12,20 67:21 98:13,14,15 best 7:4 14:25 15:9 51:1 99:9 100:6 beth 58:13 bifurcate 12:18 50:10 bifurcating 27:21 bifurcation 27:24 big 8:9 41:10 49:12 56:6 bill 22:25 bit 14:24 39:21 bite 27:22 blm 83:6 87:22 88:2 blue 73:17,17 73:19 blur 76:14 body 35:7 bone 74:4,17 82:13,15 83:19 84:3 89:23 90:2,10 91:10 95:24 96:3,4 96:11,14,18,25</p>	<p>97:1,2 bottom 95:5 boundaries 9:4 9:21 10:12 34:18 35:3,16 35:20 38:25 49:21 boundary 10:25 11:5,8,9 12:23 13:2,5,9 13:13,15,20 14:3 43:19,21 44:22 45:4 50:16,21 brancard 22:25 break 57:5 87:3 brief 77:22 96:1 briefed 18:2,9 brought 68:22 brown 84:1 bruce 2:8 71:4 71:5,9,20,21 72:17 73:14,18 73:22 74:1 75:12,21,24 76:2,6 77:5,8 77:13,16,18,20 77:22 78:15,17 79:4,8,19 80:4 80:14,22,24 81:7,8,15 bunch 8:22 25:13 29:4 63:16 93:11</p>	<p>burden 19:11 19:18 54:7 bureau 82:23 83:6 business 56:25 57:3 94:6 95:15 busy 53:10 butchered 96:16</p>
			c
			<p>c 2:1 4:10,18,24 5:1 84:8,8,12 84:16 85:13,18 91:12,19,22 92:5,7,16,20,22 calendar 53:2 62:24 call 33:22 82:5 86:12 88:15 called 1:6 5:15 47:22 57:23 calling 5:7 57:11 71:7 77:15 81:17 93:14 canton 4:17,23 91:4 canton's 91:8 capacity 8:13 cards 91:15 care 98:19 careful 41:23 carlsbad 78:5</p>

[case - client]

<p>case 1:9 3:3,13 4:3,15,21 5:7,8 9:10 10:9 11:10,17,19,20 11:22 15:20 17:18 18:17,18 22:18 24:23 25:3,3,19 27:11,13 28:18 28:18 30:10 31:8,21 32:14 33:13 35:20,20 36:8 37:9,12 39:12,24,24 42:10 46:13 50:22 57:20 64:19 67:23 68:5,14,16 69:23 71:7,7 71:14 72:4,17 72:18,21 73:19 74:1 76:12,25 77:1,2,3,5 78:18 79:17 80:6,11,15 81:2,17,18 82:4 88:9,14 88:16,25 89:21 90:1,8,17 91:23 92:12 93:14,15 94:2 94:4,10 95:21 96:3,5,7,8,9,10 96:12,13,19,21 96:22,23,24</p>	<p>97:24 98:4 cases 5:15,23 6:21 7:10,13 7:22,24,25 8:20 10:24 11:2,4,6,6,9,12 11:18,21,24 12:4,7,12,22,24 13:4,7,16,17 14:2,9,10,13,14 14:23 15:13 16:10,12,14,22 16:25 17:17,20 17:24 18:6,11 20:13,16,16,19 21:5,13,17,19 21:20 22:2,6 22:10,12,15,15 22:18 23:1,3,4 23:9,13,15,22 24:6,11,15,17 26:2,3 27:2,22 28:3 31:4,10 31:16,18,25 32:14,19 33:10 33:16,19,23,25 35:9 36:3,12 36:17,19,20 37:5,13,16,19 37:25 38:1,17 40:2,5,9,11,15 42:14,20 43:2 43:13,15,19,23 44:21,22,24 45:7,12,13,17</p>	<p>45:19 46:3 47:5,14,23,25 50:1,9,10,20 51:12 54:7 55:22 57:6,11 57:17,18 58:20 58:23 59:16,21 61:9 62:4,17 63:4,6,17 64:1 64:5,8 65:6,6,9 65:14,21 66:14 66:23 67:23 69:4 70:23 77:8,17 79:4 80:17,24 81:13 91:24 93:1 catch 16:14 17:3 caught 86:22 87:17 caveat 87:20 certainly 22:3,7 31:5 41:1 43:3 73:5 certificate 99:1 100:1 certified 3:8 74:22 84:14 91:15 certify 99:3 100:2 chair 48:7 chakalian 2:3 5:3 86:3 93:5 93:12</p>	<p>challenged 27:13 chance 18:4 30:13 78:24 94:19 changed 29:16 changes 21:9 23:14 characters 27:3 check 73:6 checklist 3:4 74:6 chevron 33:12 christmas 81:9 81:12 93:7,9 98:5,6,11 christopher 91:4 cimarex 33:11 33:15 71:18,19 72:6 circuit 15:17 circulate 64:11 64:23 cited 31:14 claim 29:2 claims 6:24 clarity 96:17 clear 45:18 clearly 44:21 client 38:7,12 46:11 48:19 51:18 52:2,7,9 52:18,19</p>
---	---	--	--

[clients - conferences]

<p>clients 47:8,17 60:20</p> <p>close 20:4 41:16 56:25 57:3 61:2 68:21 69:9</p> <p>closely 33:25</p> <p>cog 58:13 63:18 63:19 64:1 67:24 68:3,15 70:24</p> <p>cog's 68:20 69:1,5</p> <p>colgate 71:13 72:1 76:9</p> <p>colgate's 76:9</p> <p>collateral 19:12 27:12,14 30:2</p> <p>colleague 5:14</p> <p>collected 25:13</p> <p>color 73:15</p> <p>com 90:7,15</p> <p>combination 14:22</p> <p>combined 11:8</p> <p>come 50:5 72:2</p> <p>coming 6:24 29:4 31:19 67:18 69:5 87:18</p> <p>commence 69:2</p> <p>comment 55:24</p> <p>commission 7:12,13 8:21 9:11,17,22</p>	<p>10:14,15,16,20 10:23 11:15 15:8,16,19,21 15:22 17:18,24 17:25 18:6,10 18:12 19:9 20:13,17,20,23 21:11,18,21 22:6,11,16,16 22:18,21 23:1 23:3,6,11 24:8 24:8,10,24,25 25:5,16,16 26:2,6,11,14 27:9,15 28:1,4 28:5,11 29:10 32:7,9,13,22 33:1,17,19 35:14,18 40:2 40:3,12,13,17 40:20 42:14,17 42:21,21,22 43:3,7,21 44:25 45:2,15 45:18,22 46:10 48:7,12 50:9 51:13,19 52:15 55:17 72:5</p> <p>commission's 32:13</p> <p>commit 62:22 86:11 87:3,14 88:4</p> <p>commitment 83:13</p>	<p>committed 83:12 84:20,24 85:11 86:13,19 86:23</p> <p>committee 39:5</p> <p>communicated 59:13 79:22</p> <p>communicating 80:12</p> <p>communication 80:8</p> <p>communicati... 6:4,6,13 44:2 91:2</p> <p>company 57:15 58:2,8 71:18 79:6 89:2</p> <p>compatible 29:5</p> <p>compete 59:3</p> <p>competing 61:24 68:23 69:10</p> <p>complete 7:3 70:14 75:5,6 78:11</p> <p>completed 56:8</p> <p>completely 60:9</p> <p>completion 46:18</p> <p>complex 39:21</p> <p>complexity 7:10 12:17</p>	<p>comprised 90:4 90:12</p> <p>compulsory 33:12,12 71:22 86:2</p> <p>concern 26:22 26:25 43:16 48:25</p> <p>concerned 26:15 52:10</p> <p>concerns 6:15 9:9 20:2 90:2</p> <p>conclude 88:9</p> <p>concluded 98:21</p> <p>concludes 98:10</p> <p>conduct 23:23 43:24 49:10 87:23</p> <p>conducted 24:2</p> <p>conducting 49:9</p> <p>confer 6:1,17 18:5 38:7 48:19 52:2</p> <p>conference 23:17 50:1 58:11 63:18 64:20 65:15,22 66:15,24 67:4 67:25</p> <p>conferences 16:16 49:25</p>
--	---	--	--

[conferred - date]

conferred 51:17 conferring 52:6 55:16 confirm 37:8 conflicted 72:7 confused 51:24 61:17 95:23 confuses 46:2 conjunction 96:9 connectivity 39:10 conservation 1:3,6 5:4 98:10 consider 20:20 40:13 consideration 32:1 34:6 50:8 considerations 35:21 considering 1:8 consists 82:6 consolidate 12:7 80:21 consolidated 5:8 12:15 19:23 57:17 66:23 consolidation 27:2 consult 20:25 cont'd 4:1 contain 90:17	contained 13:16 containing 74:7 contains 73:20 74:12,14 84:4 contention 31:2 contested 59:9 59:17 60:4,8 60:13 61:9,13 61:22 62:23 63:5,12 65:10 68:16 69:12,24 70:10 continuance 64:19,21,23 continuances 16:17 64:15,16 65:3 67:8 continue 5:25 8:8 32:5 57:10 62:20 94:3 continued 26:22 78:2 85:3 contract 9:19 95:23 96:21 control 87:23 controlling 31:4 coordinated 64:14 copies 91:15 corner 95:6 corporation 79:7	correct 7:4 27:18 30:11 36:21,22 37:7 59:22 62:24 68:2 72:10,12 72:14 76:6,11 77:13,25 79:19 93:16,22,23 95:3 correctly 18:23 95:10 correlated 76:4 76:5 counsel 6:8,18 7:8 9:15 30:16 60:9 63:19 64:11 77:16 99:10,13 100:7 100:10 county 78:9,10 82:8,9 85:1,2 89:25 couple 9:24 30:19 34:9 41:23 64:7 course 6:5 15:9 15:10,11,18 29:13 50:25 court 26:13 43:8,11 47:12 97:19 courtesy 55:24 56:14 cousin 82:5	cover 82:13 covered 48:21 71:25 73:22 covers 78:17 create 31:23 created 9:2 30:25 44:16 creates 26:16 creating 9:11 critical 20:14 50:17 cross 4:9 74:14 84:5,9 91:9,11 curious 80:10 87:16 cushion 54:5 cutoff 42:3
d			
d 4:11 5:1 84:25 85:5,13 85:18,19 damage 46:6 damoth 100:2 100:16 dana 1:23 2:12 5:17 57:14 68:2 99:2,20 darin 2:16 71:17 dash 83:22 data 74:13 date 1:19 27:19 62:13 78:3 79:22			

[dates - dispose]

<p>dates 85:2 95:10</p> <p>day 5:5 26:17 53:20 93:6 95:15</p> <p>days 14:20 56:5 76:15 79:24 94:6</p> <p>de 15:15 25:18 25:20,20 26:4 26:10</p> <p>deadline 51:1 52:25 53:22 55:10,12 56:20 69:14</p> <p>deal 13:18 14:2 14:11,14 21:21 35:19 36:16 60:15 61:10,13 61:21 67:17</p> <p>dealt 15:2 35:9 67:23</p> <p>deana 2:7 58:17</p> <p>decades 10:3 30:25 34:14</p> <p>december 1:19 95:8,11 96:2 96:10,20 97:13</p> <p>decide 44:20 48:1 49:24</p> <p>decided 15:8 32:8</p> <p>decides 35:14</p>	<p>decision 7:4,9 25:6,21 27:12 28:11 32:6 56:20</p> <p>dedicated 90:6 90:14</p> <p>deep 16:15,24</p> <p>defer 7:17</p> <p>defined 8:25 30:24</p> <p>definitely 17:10</p> <p>definition 13:6</p> <p>delaware 84:2 89:4,8</p> <p>delay 26:16,23 27:24 68:22</p> <p>delaying 47:9</p> <p>demonstrate 87:21 95:7</p> <p>demonstration 35:6 42:2</p> <p>denies 8:15</p> <p>denying 18:15</p> <p>department 1:2</p> <p>depend 55:21</p> <p>depending 67:5</p> <p>depends 56:12</p> <p>deposition 99:1</p> <p>depth 16:19 46:18 95:23</p> <p>depths 82:13</p> <p>description 3:2 3:12 4:2,14,20</p> <p>designated 10:1</p>	<p>developed 86:16,17</p> <p>development 38:20 82:11,14 91:11</p> <p>difference 17:4 49:12 55:8 56:6</p> <p>differences 46:10</p> <p>different 13:23 13:24 14:12 20:2 27:19 31:9,19 35:7 37:2 38:17,24 39:1,2,23 42:15 45:6,8 45:23,23,24 46:4,4,14 47:1 49:8 51:8 76:25 77:3 85:2 96:3,5,22 97:3,6</p> <p>differential 16:23</p> <p>digital 99:8 100:3</p> <p>dinosaur 72:8</p> <p>direct 34:20</p> <p>directly 7:13 8:21 10:24 13:13 15:20 20:17 26:12</p> <p>director 8:12 24:9 33:18</p>	<p>50:7,7 55:16</p> <p>disagree 19:25</p> <p>discovery 6:1 23:23 24:3</p> <p>discrete 31:8</p> <p>discretion 15:19 28:7 32:14</p> <p>discuss 44:3</p> <p>discussed 26:1</p> <p>discussion 28:23 35:12 86:4</p> <p>discussions 61:4,5</p> <p>dismiss 20:15 20:19,23 22:1 22:8 23:4 32:19 62:4 76:17</p> <p>dismissal 28:9 72:16 76:12,18</p> <p>dismissed 18:22 19:8,22 23:9 24:24 72:4</p> <p>dismissing 21:17 32:23</p> <p>disposal 8:1,16 9:2,3,7 10:2,21 12:24 30:23 34:12,16 35:10 35:19 49:20</p> <p>dispose 32:5</p>
---	---	---	--

[dispositive - encroaching]

<p>dispositive 18:17,23 24:16 31:4 distance 39:3 43:24 distances 13:20 13:23 14:7 35:24 45:6 distinction 36:13 distinctions 12:12 distinguish 36:25 distinguishable 44:22 district 26:13 43:8,11 47:12 dive 16:15 dived 16:24 division 1:3,7 5:4 7:24 8:12 9:3,10,25 10:9 15:8,13 18:11 18:15,23 19:24 22:13,17,18,19 23:5,9,13,18,20 24:6 25:4,13 25:13,18,21 28:1,5 31:16 31:17,24 40:5 40:18,20 43:2 43:20,22 44:25 45:7,13,17 50:23 52:16</p>	<p>54:7 59:7 81:9 85:15 90:17 91:5 98:11 division's 19:4 31:5 33:15 40:1 docket 5:5 17:20 26:5 32:22 57:11,12 57:20 59:10,20 61:18 63:1,5 66:3 67:17,24 69:17,20 81:17 86:5 93:14 98:11 document 81:1 documents 6:7 6:9 dog 21:11 doing 8:9 14:20 44:11 50:24 68:5 95:10 domesticized 39:8 double 73:6 drawing 54:17 dredge 75:22 drilled 14:5 drilling 69:2,16 74:4 due 53:16 duly 99:5</p>	<p>e e 2:1,1 3:1 4:1 5:1,1 earlier 6:12 46:4 49:4 97:18 east 62:2,5,9 74:3 89:25 90:13 eddy 78:9 82:6 82:8 85:1 89:25 effect 8:9 14:22 effectively 87:23 efficiencies 43:17 efficiency 43:16 44:24 45:16 efficient 15:10 26:4 41:4 42:9 46:1 either 20:18 21:16 32:16,18 32:25 33:3 43:1 47:23,24 60:19 61:3 66:21 76:14 eliminate 26:9 elizabeth 2:15 email 6:17 18:3 63:14 emailed 5:5</p>	<p>empire 5:13,18 5:19 6:3,5,8,13 6:18,25 7:8,18 10:10 11:2,21 12:4,13 13:17 15:11 16:10 18:5 19:15 20:25 21:10,11 26:20 29:2,11 31:12 34:2,11 34:15,24 36:6 41:13 42:1 43:24 44:18 53:4 empire's 11:24 13:1 18:19 19:23 24:2 49:1,15,18 employed 99:11,14 100:8 100:11 employee 99:13 100:10 emsu 8:2 10:25 11:5,7,9 12:22 13:2,6,9,13,15 14:10,14 30:24 30:25 34:13,18 34:21 35:11 36:7,9,13 44:18 49:18 50:11 encroaching 35:2</p>
--	--	---	---

[energy - exhibit]

<p>energy 1:2 33:11 58:2,9 64:4 68:9 71:18 79:6 engineering 20:2 enjoy 93:7 entered 72:15 entire 52:16 96:4 entirely 35:23 entities 79:9 entity 89:4 enunciated 27:8 envisioned 51:22 eog 64:7 ernest 2:14 es 99:4 especially 46:16 esquire 2:7,8,9 2:10,11,12,13 2:14,15,16,17 essence 51:25 essentially 7:25 27:3 96:2,14 96:25 established 25:17 eunice 8:2,6 9:1 9:18 evaluate 14:9</p>	<p>evaluation 15:5 evd 3:2,12 4:2 4:14,20 eventually 83:14 86:2 everybody 98:14 everybody's 30:20 everyone's 46:17 87:18 everything's 76:14 evidence 15:6 20:3 25:14,17 31:7,14,15,19 32:3 35:6,8,23 36:11,24 39:23 40:9,22 46:5 75:13,18,20 81:1,5 85:18 85:20 92:6,8 92:20,23 exactly 14:21 61:23 examiner 2:3,4 5:2,3,12,16,17 5:21,24 6:20 7:7,15,19,23 8:7,23 9:14 11:16 12:1,6,9 14:15,19 15:25 16:7 17:6,12 17:14,22 20:10 21:4 22:23</p>	<p>23:12,24 24:5 24:15,18,22 25:1,11,22 26:24 28:8,12 29:8 30:8,12 30:19 31:3 32:10 33:6,9 33:15 34:5 35:25 36:15,23 37:1,4,11,20,23 38:4,10,13 40:6,7 41:5 43:14 44:6,9 48:16,17 49:14 49:22 51:7,16 51:23 52:1,3,6 52:14,24 53:6 53:9,18,21,25 54:4,8,12,23 55:3,6 56:10 56:19,23 57:9 57:14,16,22 58:3,6,10,12,12 58:14,17,19,24 59:1,18 60:16 60:21,25 61:7 61:16 62:12,21 63:2,8,11,25 65:5,17,24 66:7,10,16 67:1,10,12,15 67:22 68:1,4,6 68:10,13,15 69:6,19,22,25 70:2,6,9,13,17</p>	<p>70:18,22 71:1 71:6,10,12,15 71:16,19,21 72:10,14,20 73:4,8,11,13,18 73:21,24 74:1 75:11,15 76:11 76:21 77:1,4 77:10,14,19 78:14,19 79:1 80:23 81:12,16 81:20,22 82:1 85:16 88:8,12 88:21,25 89:14 89:19 91:25 92:4,11,19,25 93:4,9,13,17,20 93:25 94:12,17 94:22 95:1,4 95:17,20 97:11 97:23 98:2,9 98:15,19 example 78:21 excuse 80:4 exhibit 3:4,5,6 3:7,8,9,10,14 3:15 4:4,5,6,7,8 4:9,10,11,16,17 4:18,22,23,24 74:6,7,9,9,13 74:15,20,21,23 75:1,1,19,19 78:6,6,12 80:21 81:4,4 82:17,19 83:1</p>
---	--	---	--

[exhibit - filing]

<p>83:8,8,10,15,17 83:24 84:4,10 84:12,16,25 85:5,19,19 90:16,18,20 91:3,6,12,19 92:7,7,7,22,22 92:22 94:14,15 94:19 95:6 exhibits 4:18 4:24 23:21 24:3 73:14,19 73:20,23 74:8 75:5,8,8,12,16 78:3,4,15,24 79:2 81:2 83:4 83:7 85:13,17 89:5 90:25 91:8,13,22 92:2,5,16,19 94:13 existed 29:20 existence 18:25 19:13 existing 8:5 9:17 13:19 16:10 19:13 24:16 34:12 exists 19:17 expansive 6:22 expect 39:16 53:3 56:13 expedited 55:5 experienced 16:19</p>	<p>expert 6:4,14 90:23 91:5 explain 95:25 96:16 explained 98:7 extend 39:9 extensive 39:9 extent 9:20 35:21 46:7 96:21 extra 55:11 56:2,8,17</p> <hr/> <p style="text-align: center;">f</p> <hr/> <p>f 94:15,19,20 95:6 fact 15:3 19:17 35:9 48:23 56:4 69:3 factors 13:7 14:7 15:5 facts 13:11 30:21 31:7 32:3 35:23 45:9,23 46:17 factual 46:4,11 46:14 fair 14:24 38:11 fairly 6:22 41:23 far 35:1 70:8 favor 13:7 28:14 46:11 52:20</p>	<p>fe 1:3,22 58:6 81:20 93:18 february 59:17 60:4,12,14 61:10 62:14,15 62:23,24 63:12 65:15,22 66:3 66:15,24 67:3 69:18,20,24 70:1,5,10,19,20 federal 82:6,7 feedback 24:20 25:24 feel 33:24 34:1 34:2 52:2 55:11 69:12 feels 34:2 feet 13:21 41:21,24,24 49:4 95:24 feldewert 2:9 58:5,6 60:17 60:18 63:25 64:14,24 67:7 67:11,14 68:7 68:8,12 69:7,8 70:9,12,25 81:19,20,24 82:3 85:17,23 86:3,15,24 87:7,13,19 88:7,10,11,16 88:18,24 92:3 92:17,18 93:5 93:10</p>	<p>field 21:10 23:14 fifth 8:3 fight 21:11 figure 50:25 figuring 14:25 file 17:23 19:8 19:19 20:17 29:17 32:25 33:21 37:24 47:19 48:18 50:3,13 51:9 51:14 52:21,21 53:12 55:2 56:25 57:3 64:16 67:8 72:16,21,25 73:6,7 77:1 78:18 79:13 93:11 filed 7:24 11:2 11:25 12:13 13:18 16:10 21:21 22:12 23:1,15 33:15 36:18 51:12 53:3 63:22 64:12 65:3 66:2 72:15 76:12,15 77:23 78:15,18 80:15 80:15 94:13 filing 9:16 10:13 11:13 21:19 32:16</p>
--	--	---	--

[filing - going]

<p>49:16,19 51:22 54:20 64:14 69:10 79:13 80:25 filings 82:4 final 25:5 87:8 finalized 61:14 61:15 finally 32:3 74:23 84:12 91:12 93:14 financially 99:15 100:11 find 51:20 62:13 78:16,20 80:25 fine 33:3 53:7,9 54:22,22 finished 60:17 firms 56:15 first 10:20 16:18 27:1 30:4 32:8 35:16 41:11 42:14 50:16 71:2 79:21 96:11,18 97:1 five 7:25 20:16 57:5 61:8 63:4 focus 30:20 folks 7:18 41:13 42:1 follow 64:25 force 86:6,25</p>	<p>foregoing 99:3 99:4 100:4 form 32:20 64:22,25 82:12 formation 26:19 82:14,15 82:16 89:24 90:3,10 formations 83:20 forth 38:20 forward 31:20 40:2 60:11 61:13,14 67:5 73:7 found 18:11,23 four 7:25 11:4 11:6,8 12:24 12:25 20:16 61:8 77:8 79:24 80:17,24 81:13 frame 50:6 94:7 95:16 franklin 63:17 friday 54:3,21 friend 81:10 front 12:19 22:20 23:5,13 23:18 26:5 38:12 41:15 75:25 79:10 fuge 24:9 full 44:25</p>	<p>fully 60:12 fulton 1:23 99:2,20 function 32:20 further 15:4 47:9 99:12 100:9 furthermore 31:16 future 80:13,20</p> <hr/> <p style="text-align: center;">g</p> <hr/> <p>g 5:1 garcia 2:4 16:1 16:2,6,8,13 17:10,13 33:10 41:6,8,16,19 42:4,7,25 43:4 44:5,8 46:2 75:18,21 76:1 76:3,7,19,21 78:22,23,25 79:3,15,21 80:6,19 85:21 85:22 86:14,21 87:1,12,16 88:5,13 92:6,9 92:21,24 93:6 94:18,20 95:17 95:18,22 97:5 97:9 98:18,20 gas 19:5 gate 56:9 gather 55:6 generally 31:17</p>	<p>geologist 83:18 geologist's 3:6 4:8 74:13 geology 4:17,23 20:2 27:3 39:7 39:20 83:17 91:3,5,8 getting 64:12 97:21 give 30:13 53:13 54:5,13 55:9,10 70:14 87:4 given 10:8,18 10:18 39:10 51:5 55:25 56:4,15 59:9 82:22 glad 73:6 go 12:18 15:15 15:20 16:3,20 22:7 24:4,19 25:11 31:24 33:1,24 38:4 40:2 47:20 52:15,15 53:4 60:7,11 61:10 61:12,14 73:7 74:8 92:12,13 93:24 94:21 97:14 98:16 goal 64:12 goes 24:7 going 7:12,16 8:18 9:13,16</p>
--	--	--	---

[going - heard]

10:23 11:13 14:7,8,10,12 20:3 27:14,18 27:23 28:2 29:6 30:7,23 31:9,10 35:8 35:22,23 36:24 38:11,16,19,22 39:2,9,23 40:9 40:16,22 42:16 42:17,21 43:6 43:8 44:3 45:5 45:8,10,21,21 45:22 46:11,13 46:17,21,23 47:2,5,5,6,7,11 47:18,25 48:5 48:11 49:16,18 49:25 50:2,19 51:6 54:13 55:1,7,9 56:5 58:23 65:14,25 68:14 69:15 71:2 76:13 78:20 81:1 87:14 88:15 89:3 93:7 98:17 good 5:11 12:10 27:16 30:12 57:25 58:5,16 63:2 63:14 66:20 68:13 71:1,6 71:10,16,20	73:13,24 81:11 81:19 88:21,23 88:24 93:16,20 goodnight 5:13 7:21,24 8:15 11:18 17:23 19:8,18 21:10 23:22 24:7 27:13,22 29:17 34:11,25 49:9 goodnight's 11:3,8 18:15 18:17 24:6 29:11 gouza 39:12 governed 13:10 governs 9:20 grant 56:3,14 67:2 grave 9:9 grayburg 28:22 28:22 29:7,22 great 59:1 66:10 67:1 green 73:15,22 91:15 greg 47:5 gregory 2:3 5:3 47:16 ground 48:21 guard 86:22 87:17 guess 5:22 16:19,21 41:10 41:17 42:7,13	46:3 50:24 76:5 79:25 80:1,10,12 86:21 87:2,4,5 95:22 97:6 guidance 35:18 40:3,5 45:11 45:18 gun 91:11 guys 43:6,7,11 47:19 79:5,16 79:22 80:2,7 h h 3:1 4:1 haddock 4:16 4:22 90:19,22 half 55:11 62:3 62:3,5,7,9,10 74:2,2 89:24 90:5,5,12,12 handle 12:11 12:14 46:1 happened 23:8 happens 86:10 happy 43:7 45:21 47:2 55:25 56:7 58:24 91:21 95:25 hardy 2:12 5:17,17 16:3 17:15,22 20:10 20:22 21:5,25 22:23 23:7,19 24:1,14 32:17	36:16,22 37:3 37:8,18,22 40:6,7 41:9,14 41:18 42:25 45:20 48:16,17 51:9,16,23 52:1,5,13,23 53:2,8 54:14 54:24,25 55:4 55:9,25 56:23 57:14,14,19,24 58:24 59:2,19 62:10,18 63:7 64:3 68:1,2,6 68:14,15 69:25 70:13,16,24 hardy's 69:8 harm 14:1 44:18 hart 2:9,10,11 58:7 81:21 93:18 hat 84:20 hear 7:18,20 10:17,20 15:8 17:19,19 18:11 22:17 26:3,3 32:14 42:15,18 43:23 44:25 45:7,19 47:5 47:14,23 48:2 48:2,5,6,12 50:8 heard 11:14 13:8 15:13,21
---	---	---	--

[heard - immediate]

<p>16:3 21:14 22:3,4 23:5 25:12,24 28:2 30:15,17 32:8 32:12 37:19 40:16 43:2,5,7 43:20 51:13 63:4 69:4 77:23 79:17 80:7,17 97:24 hearing 1:5,18 2:3 5:2,3,16,21 5:24 7:19 8:7 11:16 12:1,6 14:15 15:25 16:7 17:6,12 17:14 18:4 19:24 20:10 21:4 22:23 23:12,18,20,21 23:24 24:3,4,5 24:18 25:1,11 25:18,20,22 26:24 28:7,12 28:23 29:8 30:8,12,18 31:12 33:6,9 35:25 36:3,15 37:1,4,11,16,20 37:23 38:4,10 38:11 40:6 41:1,5 42:17 42:22,22 43:13 43:14 44:6,9 47:25 48:16</p>	<p>49:13,22 51:7 51:23 52:3,6 52:14,24 53:6 53:9,18,21,24 53:25,25 54:8 54:12,23 55:3 55:6 56:10,19 56:23 57:9,11 57:16,22 58:3 58:10,14,19 59:1,9,17,18,20 59:21 60:4,8 60:14,16,21,25 61:7,9,13,16 62:12,21,23 63:2,5,11,12,24 65:5,10,17,24 66:7,10,16 67:1,10,12,15 67:22 68:4,10 68:13,16,24 69:6,12,19,22 69:24 70:2,6,9 70:11,13,18,22 71:1,2,6,10,15 71:16,19 72:10 72:20 73:4,8 73:11,13,21,24 75:11,15,16 76:21 77:4,10 77:12,14,19 78:14,19 79:1 79:24 80:2,23 81:12,16,22,23 82:1 83:12</p>	<p>85:16 88:8,12 88:21 89:14,19 91:25 92:4,11 92:19,25 93:3 93:9,13,17,20 93:25 94:2,10 94:12,13,17,22 95:1,4,17,20 96:1,6,10,20 97:11,23 98:2 98:9,11,15,19 hearings 41:3 53:17 hears 24:6 42:14 45:13 heavily 13:7 heavy 19:11,18 held 31:17 help 62:10 78:16 hereto 99:14 100:11 hesitation 56:3 hi 88:17,19 highlighted 17:1 hinders 29:11 hinkle 2:12,13 5:18 57:15 64:2,3 68:2 88:20 history 30:20 hobbs 78:5 hold 12:1 37:15 78:19</p>	<p>holidays 51:4 55:2,25 56:4 holland 2:9,10 2:11 58:7 81:21 93:18 hope 57:13 hopeful 59:23 60:2 hopefully 6:16 50:3 98:7 hoping 6:19 horizontal 90:4 90:11 host 2:5 hours 53:20 hundred 13:21 41:24,24 hurry 43:23 hydrocarbons 19:3</p>
i			
<p>idea 12:11 16:9 21:24 34:22 ideally 60:8 identification 74:10,16 75:2 78:7 83:2,9,16 83:25 84:11,17 85:6 90:21 91:7,20 identified 6:6 85:9 immediate 69:14</p>			

[immediately - issue]

<p>immediately 14:2</p> <p>imminent 14:1 14:1 44:10,18 48:25 49:15</p> <p>impact 24:11 24:14</p> <p>impacted 21:8</p> <p>impacting 20:6 27:6 38:19 49:3</p> <p>impacts 39:17 39:18</p> <p>impairing 35:3 38:19</p> <p>impairs 19:2</p> <p>implicated 11:19,22 34:19</p> <p>impressed 27:7</p> <p>inappropriate 35:15</p> <p>incentive 60:4</p> <p>include 64:18 84:6 91:9</p> <p>included 35:11</p> <p>includes 82:18 82:18 84:19</p> <p>including 6:12 9:11 17:17 29:21 51:11</p> <p>increase 8:4 11:10,20 12:25 18:19</p> <p>indicated 59:8</p>	<p>indicates 31:5 31:23</p> <p>indicating 84:13</p> <p>individual 46:21</p> <p>indulging 67:20</p> <p>inefficient 40:19</p> <p>influence 14:9</p> <p>inform 45:12 45:13</p> <p>information 6:23 7:2 34:24 45:1 64:25 77:21 89:12</p> <p>informed 9:15</p> <p>initial 15:20 25:9 51:10 82:14 83:20 96:1</p> <p>initially 11:14 12:10 15:1 34:6,7</p> <p>inject 13:13 49:17</p> <p>injected 26:19 34:25 39:13 44:16</p> <p>injecting 14:6 34:14,15 39:16 44:11,14 46:19 46:20</p>	<p>injection 8:4,5 10:2,24 11:3,5 11:7,9,10,21 12:25 13:1,18 13:19 16:11 18:16,19 19:2 19:22 24:7 28:14 29:12 30:23 35:14 38:24 40:3,24 40:25 43:21 44:17,19 45:2 45:3 46:6,16 48:24 49:2,7,9 52:11</p> <p>injection's 38:19 39:9</p> <p>inside 20:1 37:6 38:23 40:25</p> <p>instance 10:20 22:25 32:8 94:2</p> <p>instances 23:8</p> <p>intend 64:11</p> <p>intended 89:17</p> <p>intent 37:14,15</p> <p>interact 46:23</p> <p>interest 4:7 19:16 26:20,21 29:12 30:3 40:1 55:5 83:11 84:15,22 85:8,11 86:11 86:17 87:23</p>	<p>88:4 89:9,10 89:23</p> <p>interested 99:15 100:12</p> <p>interests 7:11 10:19 28:19 85:25 88:1,2 90:2,10,25</p> <p>interloper 29:24</p> <p>interrupt 14:16 33:7</p> <p>interruption 52:10</p> <p>interval 9:18 10:7,12 18:20 18:24 19:2,10 29:14 39:15 40:4 50:15</p> <p>intervals 82:15 84:6</p> <p>investigation 14:13</p> <p>involve 11:4 33:11 35:23 60:19</p> <p>involved 28:21 34:10</p> <p>issue 7:11 18:1 18:3,9 22:14 28:8 31:23 34:21 38:18 47:6 48:25 49:2 55:15 62:2 66:5 67:4</p>
---	---	---	--

<p>69:23 70:20 80:9 issued 9:23 10:8 18:15 21:9 23:14 25:21 63:13 75:23 79:23 80:3 issues 6:1,18 10:22 12:17 13:3,12 20:21 40:13,23 52:15 issuing 17:16 it'll 39:24 50:3 55:21</p>	<p>keeping 16:9 16:12 keeps 42:8 kessler's 64:6 key 84:22 kind 8:23 30:1 42:19 48:4,6 50:17 64:24 72:8 klondike 90:7 90:15 know 6:21 9:15 10:15 11:2 12:9,10 13:3 13:11,12,25 14:21,24 15:3 15:5,13,15,18 15:21,23 16:9 16:17 17:1,18 17:24 18:7,10 20:17,24 21:2 22:10 23:7 24:8 25:25 28:6 29:25 30:16 32:24 33:2,4,24 34:1 35:13 39:12,15 39:17 40:16 42:2 43:9,12 43:17 45:5,11 45:14,23 46:16 46:18 47:9,18 47:20 49:6 50:20,25 51:3 51:4,11 52:10</p>	<p>53:10,20 54:3 54:6 55:5,20 55:24 56:4,5,7 56:15 57:21 59:3 61:2,4,6 62:8 63:17 66:4,18,22 69:11,16,17 70:2 72:24 73:8 80:3 84:1 86:8,25 87:3 87:20,25 94:18 knowledge 99:9 100:6 knows 86:4</p>	<p>layer 14:13 lea 78:10 82:9 85:2 leaning 17:16 21:16 learning 85:23 left 14:20 63:6 67:16 70:23 81:6 legal 47:20 legally 38:12 letter 4:5,6 87:9 91:14 letters 74:21 83:4,5 91:1 level 15:14 45:8 50:9 72:5 light 6:24 12:16 73:15,17,17 likely 38:22 42:16 45:20 50:24 limited 13:6 86:7 limits 27:9 29:18,21 list 2:2 83:10 84:18 listed 57:20 89:4 listening 81:10 little 39:21 56:2 56:8,17 llc 5:13 58:18 89:4</p>
j		l	
<p>jackie 2:13 88:19 january 51:5 53:13,22 54:9 55:10 56:25 65:10 67:18 jim 2:8 job 1:24 john 2:4 16:1 98:17 jordan 64:6 judge 74:5 jump 5:25</p>		<p>l 2:14 land 4:16,22 82:23,24 83:5 83:6,6 87:22 88:2 90:18,23 90:24 landman 82:20 landman's 3:5 74:7 lands 78:9,9 82:7 lapse 95:15 large 31:11,18 41:18 larger 84:18 late 8:12 27:19 51:5 lateral 46:7</p>	
k			
<p>keep 26:4 30:20 34:19,21 55:12 56:11 86:1</p>			

[location - minute]

<p>location 1:21 locator 91:9 logical 24:13 long 9:2 28:5 46:15 66:1,22 80:11 look 21:4,5 51:8 72:21 78:21,24 94:19 looked 79:22 79:24 looking 25:7 39:5 53:2 78:15 79:15 80:24 94:12 95:4 looks 58:22 69:17 71:3 79:5 losing 43:1 lost 47:7 lot 6:23 16:4 27:23 love 54:3</p>	<p>38:14,14,15 40:8 42:10 46:12 47:17 48:18 50:22 51:10 54:6 55:23 56:5,20 76:3 93:10,11 makes 20:7 87:1 manage 14:25 management 82:24 83:7 map 74:14 83:19 91:9,9 maps 83:22 91:10 marathon 58:18 60:5,10 60:24 march 69:18 mark 90:18 marked 74:9 74:15 75:2 78:6 83:1,8,15 83:24 84:10,16 85:5 90:20 91:6,19 matador 58:7 matter 1:5 22:2 22:9 42:20 48:11 72:9 75:9 78:13 82:20 85:3 89:12</p>	<p>matters 10:21 32:11 72:6 90:23 maximize 44:23 45:16 mclean 2:13 88:17,19,19,22 88:23 89:7,15 89:16,21 92:1 92:15 93:1,3 mean 14:8 15:11 20:24 23:10 24:12 28:7,20 29:17 30:19 31:22 42:19 43:4,6 47:11,15 48:4 53:16,19 56:11 64:3 87:13,21 means 40:15 41:2 47:8 mechanism 21:1 86:5 meet 94:6 95:15 meeting 98:21 memory 95:13 mention 63:20 89:17 mentioned 12:21 18:13 36:23 51:17 53:11 64:11 merry 81:9,12 93:7,9 98:5,6</p>	<p>98:11 messed 77:25 met 94:7 mewbourne 57:15 60:5,10 61:19,22,24 62:3,4,9 63:7 71:3 74:2 75:3 81:18 82:4 mewbourne's 59:2 82:20 mexico 1:1,3 michael 2:9 58:6 81:20 mid 59:17 62:15 77:24 midstream 5:13 8:16 35:1 migrate 29:6 mile 13:22 35:2 41:25 42:2,5 46:16 49:20 96:7,17,24 97:1,2 miles 41:21 millions 49:11 mind 7:15 12:12 mindset 31:6 31:24 43:12 minerals 1:2 minimal 31:12 minor 28:18 minute 57:5</p>
m			
<p>made 6:1 7:9 15:1 27:13,24 30:1 42:2 59:12 61:18 magnitude 10:18 12:17 mail 4:10 84:14 91:15 make 7:1,4 10:6 28:24</p>			

[minutes - numbers]

<p>minutes 25:8 misplaced 31:5 missed 79:24 missing 57:17 missouri 99:22 model 46:22,22 modeling 35:6 36:11 modify 9:18,24 10:11 modrall 2:7 58:17 moment 14:16 51:24 54:16 92:14 montgomery 2:17 58:1 month 54:16 months 52:17 52:17,17 monument 8:2 8:6 9:1,19 morning 5:11 5:14 7:8 9:15 18:3 27:8 57:25 58:5,16 71:17 81:19 88:21,23,24 89:18 93:17,20 motion 32:17 32:25 33:14,22 37:12,25 38:8 48:18 50:3,4,6 50:13 51:10,15 51:22 52:21,22</p>	<p>53:1,3,13 55:15,21 56:8 57:1 64:10,23 65:2,11,14,19 65:20 66:9 67:2 76:23 motions 50:19 63:21 64:18,21 93:11 mountain 63:17 move 55:17 57:5 66:2 67:13 71:2 75:7 77:6 85:12 moving 67:5 mrc 58:7 84:20 85:9 89:1,3,8</p>	<p>37:8,19 40:16 43:22 44:20 47:17 50:24 51:20 52:2,8 56:17 64:16 65:1 66:4 67:8 69:11,12 73:7 needed 66:25 67:17 85:8 94:3 95:14 needs 49:12 negotiating 68:17 86:1 negotiation 16:17 negotiations 59:6 60:17 62:20 70:15 87:2 neither 88:13 99:10 100:7 never 73:9 new 1:1,3 8:1,1 8:13 11:9 12:24 17:17 19:22 21:20 27:7 29:4 57:5 newspaper 78:5,5 94:5 nine 11:12 nm 1:22 normally 97:15 north 74:2,2 90:5</p>	<p>nos 1:9 3:13 5:7 5:8 11:22 18:18 81:2 89:22 90:17 91:23 notary 99:21 note 7:7 36:10 71:23 notes 59:19,19 61:17 75:4 notice 3:7,8,10 4:10,18,24 72:16,23,25 74:20,22,24 75:5 76:12,23 78:11 79:11,12 80:25 83:12 84:13,21 85:10 91:13,14,17 94:4,8 95:19 98:4 notices 78:1 notion 32:19 november 8:12 77:24 85:3 91:18 95:12,13 novo 15:15 25:18,20,20 26:4,10 number 7:12 12:21 22:12 41:14 64:15 94:23 numbers 11:17 17:18 33:13</p>
	n		
	<p>n 2:1 5:1 name 5:2 names 97:20 natural 1:2 nature 7:10 necessarily 28:10 29:5 necessary 10:5 27:17 28:20 45:7 66:18,21 need 7:2 15:6 17:23 18:1,8,9 20:25 21:13 22:1 29:25 32:23 35:8</p>		

[numbers - order]

36:8 37:9 62:9 64:19 75:25 76:4	83:5,6 84:13 87:22 88:3 93:18	57:9,23 58:10 58:19,22 60:25 62:12,21 63:2 63:11,13 65:5 65:24 66:20 67:11,14,15,15 67:16,20,22 68:4,13 69:22 71:1,6,10,15,19 72:20 73:4,4 73:21,24 76:2 76:19,22 77:2 77:4,19 78:14 78:20,21 79:15 79:16,21 80:19 80:22 82:2 85:16 86:14,21 87:12 88:12 89:14 92:4,11 92:15,25 94:17 95:1,6,18 97:5 97:9,23 98:2,2 98:10,16	67:24 68:3 operating's 49:17 operations 35:4 38:20 62:6 87:24 88:3 operators 42:9 opinions 45:1 opportunity 7:18 26:10 48:19 opposed 38:1,9 50:5 opposing 30:16 orange 78:17 78:22 order 6:20,21 8:8,10,11,15 10:8 14:17,22 15:14 17:16,19 18:14,14,21 21:8,12,19 22:20 23:1,3,4 23:14 24:9,16 25:7 26:3 27:15,18 28:8 28:12,14,14,15 28:16 29:9,11 29:15,16,19,23 30:6 31:3,14 33:18 34:19 41:12 45:15 47:3,6,6 50:7 55:15 62:17 63:3,12,22
o	officer 99:1,2 offline 17:12 oh 54:15 73:4 77:10 oil 1:3,6 5:4 9:20 13:15 19:5 29:1 44:6 57:15 58:18 81:18 98:10 oil's 71:3 okay 5:22 7:19 8:7,24 9:5,7 12:23 13:8,20 14:15 15:25,25 16:8 17:6,14 24:18 25:1,22 25:22 26:24 30:8,12 31:1 31:10,12,25 32:22 34:7,11 34:15,16,23 35:24 36:15 37:11,20,20 38:10,17,21,24 38:25,25 41:5 41:19 42:4 43:15 44:7,8 44:19 45:8 49:22 51:7 52:24 53:6,18 54:21,23,24 55:3,7 56:19	onboard 87:18 once 12:11 one's 45:20 ones 17:1,17 21:20 84:19 ongoing 59:6 operate 62:6 operated 34:12 44:13 operating 19:1 19:18 42:11 58:13 62:2,3	
o 5:1 object 62:5 objected 68:10 73:9 objecting 73:2 objection 67:6 72:24 73:1 75:14 76:9 89:12 objections 75:12,16 92:1 92:16 obligation 19:5 oblige 56:18 obtained 72:1 obviously 31:22,22 42:9 43:9 46:17 52:7 occ 16:20 46:12 47:8,12,21,22 47:24 48:1 occurred 49:7 occurring 19:6 ocd 43:13 47:3 47:14 october 59:19 61:18 79:14 offer 35:18 office 58:6 81:20 82:24			

[order - ph]

<p>65:4,12 66:5,5 66:13,14,17,18 67:2,4 69:23 70:20 71:4,25 72:4 75:3 76:4 76:10,18 79:23 80:3,9 82:5 87:5,8 96:8 order's 27:16 72:15 orders 9:18,22 9:24 10:14,15 19:13 64:10 65:3,21 75:22 76:4 orientation 74:19 original 29:15 29:23 30:6 80:6 originally 12:8 25:23 75:3 96:22 ought 11:8,14 15:23 30:6 32:7 34:21 35:11,15 72:18 outcome 47:13 99:15 100:12 outline 7:15 outlined 83:22 outside 13:19 13:22 14:3 16:11 20:1,4,8 27:6 33:25</p>	<p>34:18,23 35:1 35:11,19 36:17 37:13,16 38:1 38:17,23,24 39:22 40:4,24 41:20,20,21 42:5 43:15,19 44:19 45:4 46:7 48:24 49:2 50:11 51:12 52:12 overlap 40:23 48:7 97:3 overlapping 77:1,3 96:8 override 89:10 own 46:17 owner 86:17 90:25 owners 19:16 26:21 83:11 84:15,22 85:9 85:11 86:11 88:4 oxy 84:20 85:9</p>	<p>page 73:15 94:16,23,25,25 paper 59:25 papered 60:3,9 60:12 papering 60:6 paramount 19:4 part 16:21 17:8 20:5 23:2 29:22 31:11,18 32:1 43:10 46:2 62:1 71:25 73:16,17 73:20,23 78:8 78:9 97:11 particular 72:3 82:4 parties 19:14 21:16 23:16 33:20 34:2,10 34:20 40:21 45:12 47:16,18 50:2 58:21 59:3,24 60:15 62:20 63:22 68:20 72:2 80:16 83:13 84:19 86:6 87:10 91:1,14 99:11,14 100:8 100:11 party 43:1,1 71:11</p>	<p>pass 7:7 past 18:10 25:3 patterns 46:4 paula 2:11 5:14 93:17 pay 87:25 pdf 94:23 pending 22:4 23:13 36:6 perfect 94:4 perfected 94:8 98:4 permian 5:13 58:7,18 71:13 72:1,7 88:20 89:1,22 90:8 permitted 32:4 personal 85:23 personnel 81:9 perspective 24:2 31:22 36:1 49:1 persuaded 36:1 pertinent 36:12 petroleum 90:23 91:5 ph 16:20 18:16 22:15,25 24:9 27:3,11 28:24 29:3 30:23 31:2,21 33:12 34:13 39:5,6,8 39:11,12,16 43:13 44:13 46:12 47:3,8</p>
	<p>p</p>		
	<p>p 2:1,1 5:1 package 82:17 packets 80:21 90:16 padilla 2:14 5:20 26:25 27:1 28:16 29:8,13 56:1 56:24</p>		

[ph - prior]

<p>47:12,14,21,22 47:24 48:1 49:17 64:4,4,7 68:19 75:22 79:6,7,12 80:8 82:6 84:20 85:9 91:10,11 phase 23:17 picture 7:3 piecemeal 26:5 pinpoint 25:8 place 62:17 65:12 places 39:14,21 plan 7:20 21:18 24:4 44:2 64:23 91:11 planning 14:17 14:17 plans 43:24 plat 90:25 play 10:19 16:14 17:3 55:20 playing 21:9 23:14 please 5:10 57:13 82:2 89:19 plume 35:21 46:7 plus 11:13 20:16 21:20 75:8</p>	<p>point 6:21 18:7 34:9 37:2 38:11 58:21 59:7 62:19 68:22 71:24 84:23 89:7 policy 10:22 30:1 pool 9:20 10:7 10:12 13:5,5 13:23,24 50:15 74:2 79:5 86:2 89:23 90:9 95:23 96:13 pooled 90:25 91:15 96:2,7 96:17,22 pooling 3:4 22:15 33:12,13 69:4 71:22 72:17,18 74:6 90:2 97:3 pop 39:14 position 17:7 18:5 37:21 51:14,18 position's 50:19 possibility 70:1 possible 7:5 37:17 49:13 68:17,25 posted 97:16 97:24</p>	<p>postponed 23:22 power 48:9 practicing 28:4 precedent 7:11 10:19 precedential 31:17 predecessor 22:25 preexisting 9:1 9:6 prefer 15:11 22:17 33:4 52:21 preference 59:15 prefers 18:11 prehearing 62:17 63:3,12 63:22 64:10 65:2,12,21 66:5,13,14,17 66:18 67:2,4 69:23 70:20 preliminary 4:5,6 82:23 83:5 prepare 66:8 66:13 prepared 60:7 100:3 preparing 64:9 64:13,22</p>	<p>present 7:3 32:3 77:16 89:17 presentation 88:9 93:2 presented 15:7 25:4 31:8,12 94:1,9 95:10 96:7,9,20 presenting 77:11 pressure 46:19 pressuring 42:10 pretty 47:4 prevail 32:4 prevent 19:5 previous 96:8 96:13 previously 49:8 59:8 90:22 91:4 94:1 96:2 pride 58:2 59:11,20 62:2 63:9 pride's 59:3 61:25 primarily 28:22 primary 82:11 83:20 86:9 prime 84:5,7,7 84:8 prior 10:3 30:22 79:23</p>
--	--	--	--

[prior - rankin]

<p>99:5 privy 61:5 probably 16:18 23:8 27:17,23 32:7 42:10 46:22 96:16 problem 97:12 procedural 21:2 proceed 59:21 61:20 72:18 73:11,25 82:2 88:3 89:20 proceeding 1:21 81:23 89:13 93:21 100:4 proceedings 99:3,4,6,8 100:6 process 15:17 42:8 43:10 52:16 55:5 produce 6:3 produced 9:3 10:21 44:4,15 49:17 producing 6:5 production 9:20 10:24 19:3 46:18 58:8 professional 4:16,22 55:24 56:14 90:18</p>	<p>progress 6:2 project 8:18 prompt 60:14 proof 35:6 proper 74:18 proposal 91:1 proposals 16:20 68:19 69:10 propose 59:16 proposed 3:10 64:10 66:8,13 74:24 82:21 83:22 proposing 15:16,20 34:7 43:18 44:23 45:16,25 49:10 55:4 proposition 17:15 provided 33:10 83:18 84:8,14 public 99:21 publication 3:9 3:14,15 4:11 74:23 77:11,25 78:4 85:1 91:17 94:4 95:2,11 publish 94:6 95:12 published 85:2 91:17</p>	<p>pull 8:8 76:13 purely 82:10 purpose 1:7 purposes 66:23 74:4 82:11 pursuing 9:24 push 55:1 put 17:7 34:8 45:12 48:13 84:5 putting 32:19</p> <p style="text-align: center;">q</p> <p>qualified 99:7 question 7:20 7:21 17:8 20:22 25:9,23 41:11 42:13 43:15 48:6 66:20 79:4 80:1 85:22,23 questions 16:4 41:7,9 74:11 76:20,22 79:1 80:20 85:21 88:13 91:21 92:10,21,24 95:21 97:10,20 98:3 quick 94:21 quickly 12:21 37:17 74:8 quite 55:11</p>	<p style="text-align: center;">r</p> <p>r 2:1 5:1 18:14 75:4 76:18 radius 35:11 raise 8:24 20:1 40:23 raised 6:25 10:10 range 74:3 89:25 90:13 rankin 2:10 5:11,12,24 7:23 8:19,22 11:18 12:2,3,9 14:16,19 16:1 16:5 17:2 19:25 20:11,15 21:7 24:19 27:7,17 29:9 30:9,15,18 33:8,24 34:5 36:16 37:23 38:13 40:23 41:9,12,22 42:5,24 48:18 49:4,14 50:12 50:14 52:21 53:10,15,19,23 54:2,10,15,25 55:12,23 56:12 56:22 57:2 71:12,12 72:11 72:12,24 75:14 75:16 76:8,11 76:22,25</p>
---	---	---	---

[rankin's - reserves]

<p>rankin's 18:2 30:1 37:10 40:14 48:23 ranking 51:22 rate 8:4 11:10 11:21 12:25 rather 15:12 47:13 55:1 rationale 20:12 reach 56:1 59:4 60:9 reached 59:24 reaching 38:25 read 47:6 reading 28:17 ready 23:17,20 23:25 59:20 69:1 70:10 real 10:11 12:20 94:21 really 18:16,21 21:13 27:12 30:5 34:21 40:8,21 49:11 85:7 reason 10:13 14:1 21:23 32:10 34:22 40:12 60:1 68:21 86:11 reasonable 51:5 52:25 reasons 7:16 8:23 9:24</p>	<p>receipts 74:21 receive 81:1 received 75:20 79:10 81:5 84:21 85:9,20 92:8,23 receiving 86:18 89:11 recent 7:11 10:19 recite 11:1 recommend 48:13 recommendat... 47:16 record 25:17 57:8 64:8 78:13 89:9 91:23 99:9 100:5 recorded 99:6 recording 99:8 100:4 recovery 8:17 13:15 19:1 28:24 29:2 52:11 86:8,9 red 83:22 reduced 99:6 refer 20:12 26:2 32:11 33:1,16,22 37:13 50:6,19 51:10</p>	<p>referenced 10:9 referral 21:18 22:9 28:8 32:21 47:21,22 51:18 52:20 referred 22:6 23:10 24:23,25 25:5 28:4 31:3 32:17 40:11 50:21 72:17 referring 17:16 21:19 23:1,3 33:19 refile 20:23 28:10 refiling 21:17 reflection 15:4 refrained 9:23 regarding 13:4 18:3 40:24 regional 91:9 regularly 63:4 reissuing 66:17 relate 36:7,8 62:9 related 22:12 33:25 45:11 48:22 49:6 61:19 69:3,4 91:13 99:11 100:7 relative 99:13 100:10 relied 19:14</p>	<p>relying 19:17 remain 29:15 remaining 6:15 6:18 84:19 85:8,10 86:19 remand 47:21 remember 8:14 22:24 73:2 94:20 remote 1:21 reply 55:13,14 reported 1:23 reporter 97:19 reports 39:5 represent 60:23 representation 37:10 89:8 representing 60:22 63:25 65:13 represents 64:4 64:7 request 7:12,16 17:23 47:20,22 48:1 59:12,14 requests 74:12 required 69:1 95:12 requirement 94:9 requires 18:22 87:8 reserves 29:3</p>
---	--	---	---

[reservoir - seeing]

<p>reservoir 27:3 residual 13:15 29:1 44:6 resolution 43:20 59:5 60:6 62:1 72:3 resolve 6:16 resolved 6:20 resources 1:2 40:20 41:4 71:13 88:20 89:4,8,22 90:9 respective 67:9 respond 19:20 48:20 53:14 response 38:14 52:22 55:15,21 56:11 57:3 responsive 6:7 rest 55:19 restate 12:4 result 6:24 27:23 results 19:3 return 74:21 returns 91:16 review 25:20 26:10 reviewing 80:11 revoke 11:3,7 13:1,18 19:23 20:6 49:16,19 revoking 24:6</p>	<p>rice 34:13 44:13 49:16 right 13:5 16:11 18:3 23:18,24 24:18 29:12 36:4,19 37:1,5,16,21 41:15 47:19 49:23 50:11 52:12,24 54:13 54:16 56:10 57:4,17 58:3 61:11 68:11 69:9 70:18 79:10,10,20 80:2,23 92:12 95:5,13 98:17 rights 13:4 riverhill 79:6,6 79:12 80:8 room 62:25 69:20 70:4,6 route 33:20 53:4 67:6 royalty 26:21 roz 38:19 43:25 44:3,5 ruled 25:16 rules 13:10,24 21:2 45:3 46:10 ruling 45:15 46:12 rush 14:1 44:20</p>	<p>rushed 55:12 ryan 2:15 58:12,13,15 63:19</p> <hr/> <p style="text-align: center;">s</p> <hr/> <p>s 2:1 3:1 4:1 5:1 saltwater 8:1 8:16 10:1 30:22 34:12 35:10,19 49:20 52:11 san 9:7,12 10:1 10:3 28:21,25 29:22 30:24 32:5 34:16 35:15 39:7,20 44:4,11,14,17 49:18 sand 39:6,8 santa 1:3,22 58:6 81:20 93:18 savage 2:16 71:16,17 72:11 72:14,25 73:2 73:5,10 saw 18:2 79:21 86:22 saying 22:24 24:10 25:15 29:9,25 53:21 54:19 61:2 73:9 80:15 97:6</p>	<p>says 95:6 scenario 23:11 schedule 55:1 scheduled 63:5 schill 2:16 71:17 second 27:22 42:15 51:4 78:20 96:14 97:2 secondary 8:17 19:1 52:11 86:8 secondly 34:22 section 74:14 91:9,11 sections 4:9 74:3 84:5,9 89:24 90:5,13 see 10:10 13:25 21:14 30:2 31:10 33:9 39:19 46:9 47:2 50:17 53:23 60:10 64:24 72:21 76:1,23 77:2 78:21,22,23 80:14,14 82:3 82:17 83:21 84:2,18,23 85:7 97:5 98:13 seeing 73:14</p>
--	--	---	--

[seek - south]

<p>seek 10:11 11:6 19:10</p> <p>seeking 6:17 7:21 13:1,12 18:19 25:25 29:10 89:22</p> <p>seeks 74:2 76:17 82:5 90:9</p> <p>seem 24:13 26:4 52:17</p> <p>seems 21:10 24:12 36:18</p> <p>segregate 15:3</p> <p>self 4:4 81:25 82:2,19</p> <p>send 51:1</p> <p>sense 15:1 20:7 26:7 40:8 48:18 87:2 88:25</p> <p>sent 6:17 7:7 18:12 63:14 68:18 91:14</p> <p>separate 17:2 20:7 22:2,14 35:22,23 40:13 41:3 42:13 47:14,23 48:3 48:9,12</p> <p>separated 17:5</p> <p>separately 11:2 35:19 40:5,16 42:23 43:2 58:8</p>	<p>separating 16:23 96:14</p> <p>september 68:18</p> <p>served 33:15 76:16</p> <p>serves 95:13</p> <p>set 13:10,11 31:10,19 39:23 40:16,17 42:14 42:15 44:22,25 45:23,24 49:25 53:17 59:8,16 60:3,13 61:9 64:19 65:10,14 65:21 68:16,25 69:12 70:19</p> <p>sets 15:13</p> <p>setting 31:21 35:9 56:20 66:14 69:23</p> <p>seven 73:19</p> <p>several 13:21 41:24</p> <p>shaheen 2:17 5:19 24:20,22 25:2,19 26:9 36:1,5 38:3,6 43:5 51:17 56:1,24 57:25 58:1 59:13,22 59:23 61:2,11 61:12,17,23 63:9</p>	<p>shanor 2:12,13 5:18 57:15 68:2 88:20</p> <p>share 86:18</p> <p>shared 86:20</p> <p>sharon 2:17 58:1</p> <p>sheila 2:5 67:12</p> <p>short 6:20 15:16 65:3 68:24</p> <p>shortly 55:16</p> <p>show 74:17 91:13</p> <p>shows 91:17</p> <p>side 46:9 47:1</p> <p>sign 98:17</p> <p>signatory 87:9</p> <p>signature 99:19 100:15</p> <p>signed 8:11 24:9 33:18</p> <p>significant 44:15 54:6</p> <p>similar 20:3 22:10 40:10</p> <p>simply 34:11</p> <p>singular 25:3</p> <p>sir 68:12 71:5 75:24 77:15 81:24 88:11 92:3,18</p> <p>sits 24:10</p> <p>situated 82:8,9</p>	<p>situation 22:10 22:22</p> <p>six 11:24 13:17 14:13 16:10 36:19 37:5 43:18,23 50:10 51:11</p> <p>sixty 46:15</p> <p>skills 99:10 100:6</p> <p>slash 64:4</p> <p>slip 91:16</p> <p>someplace 39:19</p> <p>somewhat 36:13</p> <p>soon 49:13 60:3 68:17,25 97:22</p> <p>sorry 5:9,13 25:9 53:16 54:15,15</p> <p>sort 15:16 50:24 73:15</p> <p>sorting 14:21</p> <p>sought 71:24 75:4</p> <p>sounds 36:2 37:24 41:15 43:6 61:7 67:7 73:13</p> <p>south 8:2,6 9:1 9:19 74:3 75:22 89:24,25 90:5,12,12,13</p>
---	--	--	--

[spacing - taken]

<p>spacing 76:5 86:16,18 90:4 90:11 96:15 97:4 speak 60:18 64:9 speaking 30:9 65:6 specific 23:7 specifically 16:8 90:1 speed 15:10,23 sperling 2:7 58:17 split 55:7 spreadsheet 3:8 74:22 spring 74:4,18 80:18 82:13,15 83:19 84:3 89:23 90:3,10 91:10 96:4,4 96:11,14,18,25 97:1,2 springs 95:24 standard 90:4 90:11,24 stands 71:7 start 8:23 17:15 42:11 58:23,25 91:25 93:24 started 79:16 80:2,7,12</p>	<p>starting 9:5 state 1:1 82:7 82:24 83:4,6 87:22 88:2 90:7,15 99:22 statement 4:4,8 81:25 82:2,19 82:20,21 83:18 statements 61:18 status 16:15 23:17 49:24,25 58:11 61:6 63:18,23 64:20 65:14,22 66:14 66:24 67:3,25 statutory 86:4 86:7 stay 22:18 44:24 46:3 55:19 stayed 43:19 45:17 50:23 staying 40:17 stick 51:2 stipulated 33:21 72:16 76:12 stipulates 76:17 stop 27:12 straight 16:20 47:7 strategy 27:7</p>	<p>stratigraphic 4:9 84:4 91:10 streamlined 34:20 stringers 39:6 struck 61:10,21 structural 84:9 structure 74:14 83:19 91:10 struggling 16:22 17:3 stuff 97:20 submission 87:8 submitted 23:21 24:3 78:3 90:16 subparts 75:8 75:17,17 85:17 85:18 92:5,16 92:20 subsea 91:10 substantial 6:2 successful 26:14 sufficient 87:22 88:2 95:8 suggesting 36:16 suggests 32:17 summary 91:2 96:1 supervisor 26:1 suppose 66:22</p>	<p>supposed 63:21 sure 7:2 16:3 20:11 21:1 23:8 26:13 36:5,7 38:15 47:17 52:23 54:6 56:18 61:23 66:21 72:15 76:3 78:22 82:3 87:5 93:10,11 93:24 95:25 surprisingly 28:17 surrounding 21:7 suspect 23:2 sweeney 39:11 sworn 99:5</p> <hr/> <p style="text-align: center;">t</p> <hr/> <p>t 3:1 4:1 take 8:20 10:23 15:19 17:8 20:13 27:21 32:2,14 33:20 40:4 45:2 47:8 47:11 48:10 52:17 54:13 57:5 77:5 98:19 taken 5:25 7:13 39:24 75:9,13 78:13 81:13 85:14 88:14 91:24 92:12</p>
--	---	--	--

[taken - together]

<p>93:1 94:10 98:4 99:3,12 100:9 takes 92:14 talk 17:9,11 47:17 63:14 talking 8:10 17:3 19:9 28:13 38:16 39:12 40:14,24 42:8 46:5 78:16 79:16 80:2 94:14 97:19 targets 82:14 83:21 97:3 technical 6:23 31:13,15 35:6 39:5 46:9 tell 21:15 30:13 ten 11:3,4 53:20 94:6 95:15 terms 15:6,10 15:24 tertiary 28:24 testified 82:22 90:22 91:4 testifying 6:4 6:13 99:5 testimony 4:17 4:18,23,24 31:7,19 35:8 39:24 45:1,24 90:18,24 91:3</p>	<p>91:13 thank 5:16,21 16:1 24:22 30:18 33:10 42:24 54:16,17 57:6,23,24 58:4,10,13,14 63:9,24 66:11 67:20,21 69:6 71:15 72:12 75:11,15 76:20 77:4,14,15 85:16 88:5 89:16,21 93:2 93:3 98:7,9,18 thanks 81:15 that'd 66:10 theirs 54:20 thing 7:6 26:15 27:20 42:18,19 47:14 48:10 81:8 89:6 things 6:11 9:14 15:23 30:19 34:10 45:10 65:23 77:23 think 6:1 8:9 12:10,16 15:1 15:9,11 16:9 16:12 18:1,9 18:13,14,21,23 19:7,11,12,19 19:21 20:7,14 20:24 21:23,25</p>	<p>22:1,2,5,5,7,9 23:9,10,19 24:1,2,14,16 27:17,25 28:7 28:9,23 29:1,6 30:2,14,19 31:4 32:18,18 32:21,24 33:3 34:3 36:5,13 36:23,24 37:18 40:7,9,11,15,19 40:22 41:2,3 41:12 42:20 43:1,5,15 45:25 47:13,16 47:24 48:17,21 50:18 51:3,5 54:21,22 57:22 59:6,16 60:14 61:12 62:1,13 62:14 63:18 65:25 66:15 67:23,25 69:1 69:8,13 71:7 72:8 75:5 76:16,19 79:19 87:7 89:6 93:21 97:17,21 thinking 12:14 14:21 thinks 48:7,8 third 74:4 thought 12:10 17:21 34:6 60:21 86:23</p>	<p>thoughts 26:8 thousands 26:17,18,18 three 56:15 61:8 75:21 84:9 thursday 1:19 time 1:20 5:25 8:13 10:6 12:16 15:11 16:6 20:21 28:2,5 30:4 41:4 43:13,23 46:15 49:15 50:6 51:6,25 53:14 56:2,8 56:13,17 59:4 59:9 63:15 67:5 69:1,16 70:14 79:18 84:14 93:8 94:6,7,11 95:15,15 97:25 timely 91:17 timing 50:25 title 76:24 89:9 today 30:4 38:12 49:24 55:22 64:12,24 today's 63:18 98:10 together 13:8 15:2 16:12 21:14 22:3,4 33:24 34:8</p>
---	---	--	---

[together - units]

<p>37:19 40:9,12 42:22 46:23 47:23 48:2,8 48:13,14 50:9 55:18 77:9 84:5 89:18 told 51:24 tomorrow 64:12 top 82:13 96:3 total 11:12 16:25 73:19 totally 31:9 touch 12:20 toward 17:16 21:16 town 74:5 township 74:3 89:25 90:13 tracts 90:25 traditionally 87:10 transcriber 100:1 transcript 28:17 97:13,16 97:24 100:3,5 transcriptionist 99:7 transfer 18:6 transferred 22:16 true 79:23 99:9 100:5</p>	<p>try 15:1 59:4 trying 16:13 79:5 96:16 turns 76:16 twice 28:2 two 5:5 9:16 11:13 15:13 17:17 21:20 30:25 34:11 44:13 54:21 56:5 61:8 65:23 77:23 78:8 79:8,9 84:19 85:8,10 88:4 94:13 96:15 97:16,18 type 36:11 38:15 46:18 typewriting 99:7 typically 16:15 85:24 97:17</p>	<p>41:24 75:9 81:13 82:12 85:14 88:14 91:24 92:13 93:1 94:11 98:5 underlying 13:11 90:3,10 understand 26:25 35:17,25 37:5 39:4 46:5 46:25 59:24 69:13 89:7 understanding 59:11 64:17 69:15 87:14 understood 38:15 56:22 undertake 19:19 unexpected 39:14 unfair 17:7 unfortunately 94:5 unimpeded 72:19 unique 39:1 unit 8:2,6 9:1,2 9:4,4,6,11,19 9:21 10:6 13:20,23 14:3 14:11 16:11 19:1,16,17 20:1,1,4,7,8,9</p>	<p>21:6,7 27:6,6 29:20 30:3 33:25 34:23 35:2,4,16,20 36:17 37:6,6 37:13,14,16 38:1,2,18,20,25 39:6,22 40:25 40:25 41:10,18 41:20 43:19,21 44:16,19,22 45:2,4 46:6,7 48:24 49:3,3,8 49:21 50:15,21 51:12 52:12,12 71:25 82:6,10 82:12,12,21 83:22 84:24 85:14 86:6,12 86:13,16,18,19 86:20 87:9,23 88:3 90:4,6,12 90:14 unit's 85:24 unitization 10:4 13:4 28:21 unitize 13:5 unitized 9:18 10:12 18:20,24 19:2,10 29:14 39:15 40:4 units 76:5 86:4 86:7,8 87:18 96:15 97:4</p>
	u		
	<p>ultimately 8:14 32:6,13 33:4 35:14 unable 59:25 94:5 uncommitted 4:7 83:11 84:15 85:25 86:17 88:1 89:23 90:2,9 under 17:8 19:5 21:2</p>		

[unopposed - withdrawal]

<p>unopposed 33:16,21 37:12 37:25 38:9 50:3 72:9,11 86:22 update 87:4 updates 16:17 upfront 71:23 upheld 24:17 upholds 24:9 urgent 49:2 usa 33:12 use 40:19 41:4 86:9 used 87:17 usual 74:8,12 74:12</p>	<p>various 14:6 15:5 82:15 varying 13:20 13:23 14:6,7 vastly 49:8 vehicle 32:25 verify 73:12 versus 40:25 vertical 9:19 27:9 29:18,21 96:21 videoconfere... 1:18 view 11:14 32:2 35:13 68:20 volume 44:15 49:8</p>	<p>87:20 93:24 wanted 7:6 9:14 23:22 63:20 76:3 89:17 96:13 wants 40:23 50:8,10 58:22 wary 23:12 waste 10:22 19:3 43:16 water 9:3 10:21 26:18 28:24 29:4 34:25 39:13,16 44:15 49:17 waterflood 8:17 38:20 39:16 46:6</p>	<p>weeks 54:21 94:14 97:16,18 weigh 13:7 welcome 81:16 well's 46:21 wells 8:2 11:5 11:11 13:19,22 14:4 20:1,4,8,8 27:5 34:12,17 34:23 35:10 36:7,8,12 39:22 41:19 42:12 44:13 48:24 49:4 69:2,3 74:18 75:22 84:1,2,3</p>
<p>v</p>	<p>voluntarily 88:4 voluntary 82:10 85:14,24 86:25</p>	<p>way 21:4,5,14 22:7 29:19 32:18 33:3 38:8 45:12,13 46:1 47:24 53:15,17 61:3 72:8</p>	<p>went 72:8 west 62:3,7,10 whichever 33:4 white 91:16 wholly 31:9 willing 20:15 20:19 37:9 51:9 56:18 60:10 62:22</p>
<p>vacate 63:21 64:10 65:2,11 65:21 67:2 71:25 75:4 vacated 62:19 vacating 66:5 66:12,17 76:9 vacation 65:25 vance 2:11 5:14 30:9,11 93:16 93:17,23 94:1 94:15,22,24 95:3,7,9,25 97:8,11 98:3,6 variations 39:6 varies 41:22,23</p>	<p>w</p>	<p>we've 6:1,6 15:8 24:2 43:25 48:21 week 51:4 53:5 55:2,11 65:25 67:19 76:16 93:12 97:18 weekend 54:13 81:11</p>	<p>win 42:10 windows 86:12 86:15 wise 41:11 wish 81:9 93:7 withdraw 16:10 withdrawal 72:24,25</p>

[witness - zone]

<p>witness 31:13 99:4</p> <p>witnesses 6:4 6:14 40:21 97:20</p> <p>wolfcamp 82:16 83:20 84:3</p> <p>wonderful 98:8</p> <p>wondering 49:15</p> <p>word 47:20</p> <p>work 50:18</p> <p>working 4:7 5:4 6:9,12,16 7:1 26:20 50:14 53:20 56:15 59:4 83:11 84:15 85:8,11 86:11 86:17 87:23 88:4 89:9</p> <p>world 51:6</p> <p>worry 32:23</p> <p>writing 48:13</p> <p>written 44:1</p> <p>wrong 21:16</p>	<p>30:19 33:8 38:4,5 41:8 43:4 52:5 54:10,21 55:23 77:3,24 79:3,8 79:9,20 80:15 80:19 86:21,24 87:7,16,19,19 88:5,5,7 95:22 97:5</p> <p>years 19:14 46:15</p> <p>yesterday 6:18 64:14</p>
	z
	<p>zero 31:15</p> <p>zone 9:7,12 29:3 44:7 46:16</p>
x	
<p>x 3:1 4:1</p> <p>xto 58:8 68:9 68:17,22</p>	
y	
<p>yeah 12:3 16:13 17:10</p>	