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OCD Special Docket June 30, 2026- 20260630_141206UTC-Meeting Recording

June 30, 2026, 2:12PM

2h 41m 44s



Pecos Hall 16:27

All right.

Good morning.

It is June 30th and it is 8:28 AM.

We have a 23 case hearing by affidavit docket today.

And we're going to start by calling case.

26074 this is Tres Delaware treating services entry of appearance.

Please. Good morning, Mr. Examiner.

Dana Hardy, on behalf of Trace Delaware Midstream.

Do you know if there's any other parties?

There are no other parties. OK, there's a note here from Mr. Getz. Who is the technical reviewer in your case.

Let me just read it.

I see that you provided a supplemental.

Exhibit packet correct. OK.

I see the content.

For the plugging plan and collision avoidance of the horizontal is in there.

The included BLM permit does approve the APD for the Hatch AGI, but it's not clear that it approves the Amen slash cryo facility.

I believe that the right of Labor provided is for the facility. OK? Mr. Goetz has an e-mail to the BLM for clarification. OK all right.



Goetze, Phillip, EMNRD 17:59

Mr. Examiner.

35

 **Pecos Hall** 18:00

37 Yes, Mr. yes.

38

 **Goetze, Phillip, EMNRD** 18:02

40 We do have one more additional thing that I will ask Miss Hardy to clear up if she
41 can, but it will not.

42

 **Pecos Hall** 18:07

44 Go right ahead, Mr. Guest.

45

 **Goetze, Phillip, EMNRD** 18:08

47 It will not affect the recommendation or taking out her advisement.

48 Good morning, miss Hardy.

49

 **Pecos Hall** 18:17

51 Good morning.

52

 **Goetze, Phillip, EMNRD** 18:18

54 I went through the EA for the BLM and I went through our application package.

55 We do have a discrepancy in surface hole location between what is in our C108.

56 And what the BLM approved in their EA or their final right away?

57 My request to you, and I'm not aware.

58 Have you provided the BLM with an APD package already?

59

 **Pecos Hall** 18:47

61 I believe it has been provided but.

62 Mr. White, I believe is on and available.

63 To answer that question, if he can.

64

 **Goetze, Phillip, EMNRD** 18:58

66 Well, what?

67 What I'll ask for is I just need AC102. I need to know where this well is, because

68 there's two different surface locations.

69

PH Pecos Hall 19:03

71 Sure.

72

Goetze, Phillip, EMNRD 19:07

74 The clarity of the bottom hole locations, and if it is such that we need to have you
75 reaffirm that the AOR is unchanged, but I do need to know where the well is.

76 So the permit does the both permits are the same location.

77 Otherwise, we can't go forward.

78 So if you could provide AC102 if there are any questions we have on our part, we will
79 reach out to you and ask for an affirmation.

80 But let's let's get a surface location that is the same.

81 For what I would hope would be what BLM is approved, OK.

82

PH Pecos Hall 19:44

84 Understood. We'll get that to you.

85

Goetze, Phillip, EMNRD 19:46

87 Thank you.

88 Otherwise, that's all I have to say, Mr. Xander.

89

PH Pecos Hall 19:47

91 Thank you.

92 So, Miss Hardy, I'm going to admit your supplemental exhibit package into evidence.
93 And based on Mr. Getz's comments here in the hearing module, we'll take your case
94 under advisement. Thank you. You're welcome.

95 All right. Let's move on to the second case of the day and on my list it is 26139 Targa
96 Midstream services and appearance. Please Dana Hardy on behalf of Target
97 Midstream. Thank you.

98 Any others?

99 There are no other parties.

100 All right. Let me take a look at the hearing Examiner notes here.

101 This is from Mr. Harris.

102 It looks like there was a supplemental packet received on the 24th of June.

103 Correct all the requested information has been received.

104 No further technical examination is required and this case can be taken under
105 advisement.
106 So let's admit your supplemental package now into evidence, and we'll take the case
107 under advisement.
108 Thank you very much.
109 All right.
110 Thank you.
111 All right, let's move on to the third case on our docket.
112 This is 26059 BTA oil producers.
113 Dana Hardy, on behalf of BTA, thank you.
114 Are there any other parties that you know of?
115 Kevin and Morgan had entered an appearance for Ray Aleza del Speier, but I don't
116 know if they are on the docket or not.
117 They had withdrawn an objection.
118 They did, yes, but they maintain their appearance correct.
119 Let me look at their do you know what date they withdrew their objection?
120 It was prior to the last docket setting.
121 I have something here on 6/9.
122 Now that you're amended exhibit packet.
123 I believe.
124 Maybe 5-7 respondents.
125 No, this is a respondents motion for a continuance.
126 This is Kevin and Morgan.
127 Scott Morgan.
128 That was what kicked it to the June 4 docket.
129 I don't see.
130 There's nothing else in the file that shows a withdrawal of objection.
131 I have an entry of appearance and notice of objection.
132 But I don't see anything withdrawing the objection.
133 So why don't we recall this case?
134 Maybe Freya can reach out to Scott Morgan.
135 They yes, they did withdraw it.
136 It might have been verbally at one of the hearings they served us with a notice of
137 withdrawal.
138 I'm not sure if they may not have filed.

139 Copy of it. Do you want to find it?
140 Let me find it.
141 You can find that and maybe you can forward it to Freya. Sure. And I'll look at the AI.
142 Because we did present the case by affidavit at the last docket and we were just back
143 here today to provide supplemental information, the hearing Examiner had
144 requested.
145 Let me see. Mr. I think it's Mr. McClure.
146 Mr. McClure, are you with us?
147 Oh, there you are.

148

149  **McClure, Dean, EMNRD** 22:53

150 Yes, I am. It's a hearing examiner.

151

152  **Pecos Hall** 22:54

153 I see you.

154 You're on this other screen.

155 The other ones are blank, Mr. McClure.

156 Is that right?

157 Did you?

158 Did you review this case?

159

160  **McClure, Dean, EMNRD** 23:01

161 That is correct, Mr. Herring examiner.

162

163  **Pecos Hall** 23:04

164 OK.

165 Well, there's no withdrawal of objection, Miss Hardy.

166 So if you could forward that document to Miss Chance, we'll get it entered in the
167 record. But based on what you and Mr. McClure have told me, so we're back here.

168 Let me look at the.

169 Let me look here.

170 I'm gonna look at the notes.

171 They were.

172 I don't see those either in the in the record.

173 Where are they?

174 Those were filed on June 8.
175 Oh, no wonder we found them early.
176 I do see them now.
177 OK.
178 Notice of amended exhibit packet OK.
179 Mr. McClure, I saw your note.
180 You must have reviewed the amended exhibit packet and the case can be taken
181 under advisement.
182

183  **McClure, Dean, EMNRD** 24:09

184 That is correct, at least from a technical standpoint.
185 I don't recall for sure what went on with.
186 The objection, I guess.
187

188  **Pecos Hall** 24:19

189 Right. It's well, man, I'm gonna.
190 I'm gonna go by, Miss. What? Miss Hardy said in the fact that Mister Morgan's not
191 here today. I can't imagine that he would anyway.
192 So, Miss Hardy, let's admit your amended exhibit packet into evidence, and I based
193 on what McClure's review and his notes are, we can take the case under advisement.
194 Thank you.
195 So thank you.
196 We're off the record.
197 In that case, let's move on to our 4th case of the day.
198 This is Permian resource operating.
199 It is 26107 entries please.
200

201  **Jaclyn M. McLean** 24:58

202 Hi, good morning.
203 Jackie McLean, on behalf of Permian Resources and I believe it's 26107 and 26108.
204 They've been consolidated for presentation.
205

206  **Pecos Hall** 25:10

207 Thank you, miss McLean.
208 Your compatriots are here and you're not.

209

210 **JM Jaclyn M. McLean 25:14**

211 Yes, I know.

212 Of hearing remotely.

213

214 **PH Pecos Hall 25:19**

215 I see that Miss McLean, thank you.

216 Are there any other parties, Miss McLean?

217

218 **JM Jaclyn M. McLean 25:26**

219 There are.

220

221 **PH Pecos Hall 25:28**

222 Yes, good morning, Mr. Turing examiner.

223 Just waiting for a moment there.

224 Paula Vance with the Santa Fe Office of Holland and Hart, on behalf of New Bern Oil
225 Company and its various entities.

226 I won't go into each one of them as well as Matador production company and we've
227 just entered an appearance previously.

228 We asked for continuance and I believe Miss McLean will explain this, but.

229 The New Bern and Ampermian.

230 Came to an agreement, so they should be reflected as not being pulled mubar.

231 AK So, so Miss Vance, your client withdrew its objection.

232 No, we didn't actually file an objection and I think that that was part of the reason
233 why, you know, you didn't.

234 You know, we ended up on this docket.

235 I'll leave it at that.

236 Miss McLean.

237

238 **JM Jaclyn M. McLean 26:23**

239 Yes. And just to begin with, we actually filed an amended exhibit packets yesterday
240 that removed.

241 The mubar entities from as parties that were going to be pooled.

242 We originally timely filed exhibits last week as required by the division's rules, but
243 due to new Burns late Friday afternoon, request to remove them.

244 Pulled parties yesterday was the first day we were actually able to file and I did not
245 see that those had been posted.

246 Onto the case file by the division, but I just wanted to call that to your attention
247 before we began.

248

249 **PH Pecos Hall** 27:10

250 All right. Hold on, Miss McLean.

251 Hold on one SEC.

252

253 **JM Jaclyn M. McLean** 27:12

254 OK.

255

256 **PH Pecos Hall** 27:14

257 So.

258 Alright, I don't see last week's filing, nor do I see the amended.

259 I understand the amended was yesterday.

260 It may still be in the queue, but Freya, can you see what happened to this last week's
261 exhibit packet?

262

263 **JM Jaclyn M. McLean** 27:31

264 I'm. I'm sorry, I misspoke.

265 We actually filed these.

266 For the June.

267 4th docket because that was when we were supposed to originally present by
268 affidavit and then so mubar then asked for a continuance right before then.

269 So these were actually filed on and posted on May 28th.

270

271 **PH Pecos Hall** 27:56

272 I see a pre hearing statement on May 28.

273 So that's there's no question about that.

274 I'm still looking for your. Here it is.

275 Here it is.

276 OK.

277 So I have an exhibit index.

278 Yes, I see this here. For this case only.

279 I'm just looking at this case, Mr. McClure.
280 I wonder whether we should take these cases last so you could review the amended
281 exhibit packet.

282

283  **McClure, Dean, EMNRD** 28:28

284 Yeah, maybe so.

285 Mr. Hearing examiner 'cause, I know I had reviewed it. The prior exhibit packet.

286

287  **Pecos Hall** 28:34

288 Right.

289

290  **McClure, Dean, EMNRD** 28:34

291 I guess I'm not sure on the new one I'll have to look and see which one for sure.

292 I'd reviewed in the past.

293

294  **Pecos Hall** 28:37

295 Let let me hold on one second, miss.

296

297  **Jaclyn M. McLean** 28:38

298 Yes. In this. Oh, sorry.

299

300  **McClure, Dean, EMNRD** 28:39

301 Because it was 62 is when my notes were from and there's been exhibit packets
302 submitted since then.

303

304  **Pecos Hall** 28:44

305 Just last night, because of this agreement, this late agreement that occurred.

306

307  **McClure, Dean, EMNRD** 28:46

308 OK, then, yeah.

309

310  **Pecos Hall** 28:50

311 So Miss McLean, I'm glad you filed an amended exhibit packet to remove mubar
312 interests, but I'd like Mr. McClure to be able to look at it before we hear the case.

313 Fred, can you accept it?

314 They have been accepted.
315 I'm sorry it has been accepted.
316 Yes, I just did it. Yes, you did.
317 And for both cases correct for both cases.
318 So, Mr. McClory, you you should see that now. I guess in the.
319 Module.

320

321 **JM Jaclyn M. McLean 29:20**

322 Yes, and all we've done is unhighlighted, mubar and its associated entities from that
323 exhibit A3.

324

325 **PH Pecos Hall 29:28**

326 All right.

327 Thank you.

328 All right. We'll recall these two cases at the end of our docket, which may be shorter
329 because of what Miss Vance told me a little.

330 A little while ago. Yeah. And just one quick correction.

331 Not Matador production company MRC Hat Mesa LLC entering an appearance just
332 preserving rights, I said.

333 Matador production company originally meant MRC as the second part of your
334 represent.

335 Ation. Thank you. Yeah, sure.

336 So M's McLean will recall these cases at the end of our docket.

337

338 **JM Jaclyn M. McLean 29:59**

339 OK.

340 No problem.

341

342 **PH Pecos Hall 30:00**

343 All right.

344 Thanks for filing a corrected packet, OK.

345 Let's move on.

346 We're in recess in those two cases, 1:07 and 1:08.

347 Let's go to Kotera energy operating.

348 This is 26142.

349

350 **BH Benjamin Holliday 30:17**

351 Good morning, Mr. Examiner.

352 Day, on behalf of the applicant.

353

354 **PH Pecos Hall 30:20**

355 Mr. Holiday, good morning.

356 Are there any other parties, Mr. Holiday?

357

358 **BH Benjamin Holliday 30:24**

359 No, Sir.

360

361 **PH Pecos Hall 30:25**

362 Good morning, Mr. Karen Examiner.

363 Yet it's opinion on behalf of COG operating or just monitoring.

364 Good morning, miss Pena.

365 And good morning, Mr. hearing examiner Paul advance with the Santa Fe Office of

366 Holland and Heart on behalf of Service Permian Land Fund One LLC and service rock

367 Mount Rockmont, Permian Land Fund LLC and we're just preserving rights as well.

368 Thank you, Mr. Holiday.

369

370 **BH Benjamin Holliday 30:49**

371 Apologies guys, I thought you meant objections.

372 So this is a we continue to this docket to correct a couple.

373 Technical defects in the CPAC.

374 The cover letter sets that out just real briefly.

375 One, the CPAC said 26141, which is a sister case.

376 We've already got our order in that one.

377 We changed that to 26142 and the property description incorrectly listed range 26 E

378 when it should have been 35 E and that's been corrected as well.

379

380 **PH Pecos Hall 31:21**

381 So, so Mr. Holiday.

382 I'm just gonna mention this.

383 It won't be fatal to today's case, but in the future there's a deadline to provide these

384 exhibits.

385 So.

386

387 **BH Benjamin Holliday** 31:36

388 Yep. Yes, Sir. Apologies for that.

389 Yeah. Yes, Sir.

390 We filed the continuance and there was a there was a misfire in our office on about

391 these six events that were supposed to be filed at the same time.

392

393 **PH Pecos Hall** 31:43

394 OK.

395 No problem, it happens.

396 Happens to the best of us.

397 I I just letting you know that I won't always overlook it because the technical

398 examiners need time to be able to review the information.

399

400 **BH Benjamin Holliday** 31:54

401 Yes, Sir. And I appreciate it.

402 And we will not do that again.

403

404 **PH Pecos Hall** 31:55

405 OK, so so your amended exhibit packet is received into evidence and the case is

406 taken under advisement.

407

408 **BH Benjamin Holliday** 32:03

409 Thank you.

410 Good day everyone.

411

412 **PH Pecos Hall** 32:05

413 All right.

414 Thank you.

415 Let's move on to #7 on our docket.

416 This is OXY USA 26143 entries please.

417 Good morning, Mr. hearing examiner Paula Vance with the Santa Fe Office of Holland

418 and Heart. On behalf of the applicant, OXY USA Inc.

419 Good morning, Miss Vance.
420 Are there any other parties that you know of?
421 No. OK, go right ahead.
422 So we're basically here this reopening an order from a couple of years ago.
423 Previously this order was both for pool.
424 Billing and approval of a non standard spacing unit Oxy went to. They were moving
425 forward with their permitting for the wells and come to find out the pool that was
426 involved was the incorrect pool that was provided at the time of the hearing.
427 And so we were advised that Oxy needed to come back to hearing to change the
428 pool under the pooling order, since it's required in the CPAC.
429 And so we have.
430 We went ahead, did all new notice.
431 And then we have included that request for the correct pool to be incorporated
432 under the updated CPAC.
433 I did file a revised CPAC yesterday only because as I was preparing, I did notice my
434 colleague who is now out on maternity leave.
435 We needed to update include the API numbers, so I included those for all of the
436 wells. I also did double check that the footages that were included.
437 That were previous to the draft C1O twos that were in the hearing packet aligned
438 with the C1O twos that are now in the well file.
439 On the divisions image page.
440 So those were the very minor updates that I did.
441 And then it also include.
442 The CPAC also includes the updated pool and pool code, per the request of the
443 Division M's Vance.
444 Give me one minute.
445 I want to see if that made it into the case file and if Mr. McClure has had a chance to.
446 I see something.
447 The last thing that was received into the case file in this case is from the 23rd of June.
448 Probably dated the 22nd, so I don't know that Mister McClure has seen this filing
449 that you said was last night or yesterday.
450 It should have been yesterday afternoon.
451 I'm double checking to see when it was filed.
452 Freya, will you see if there's something in the queue?
453 Yes, thank you.

454 Should have been around 4:00. OK, I know Mr. McClure has not seen that because it's
455 here in the imaging system, OK?

456 So what I'd like to do is we'll receive these exhibits into evidence that were filed on
457 the 23rd that were filed timely.

458 We'll recall this case to the end of the docket to let Mr. McClure look at whatever
459 revisions you've made.

460 And then we'll ask him to examine your witnesses. If he'd like to. One question.

461 Our witness, Miss McDowell. She has not previously testified before the division. So
462 just.

463 Wanted to sure let you know we included her resume.

464 What field is she?

465 She's a land man land man, and I think, Mr. McClure, you might have a question for
466 the land man, is that right?

467

468  **McClure, Dean, EMNRD** 35:22

469 That's correct, Mr. hearing examiner.

470 I'll have to both the land man and the geologist.

471

472  **Pecos Hall** 35:25

473 OK. And your geologist has been admitted previously?

474 We didn't include a geologist for this hearing because we were under the
475 understanding that this was just doing updating the CPAC with the corrected pool
476 and pool code.

477 So I would need to confirm with my client. Why don't we get her qualified now? OK,
478 that'll give Stahl for some time.

479 That way you can send an e-mail or she can tell the geologist to be on sure a little bit
480 later.

481 So do you want to call your witness?

482 Yes, Miss McDowell. I know she was on here 'cause. I was emailing with her.

483

484  **McDown, Rachel** 36:00

485 Yes, I'm on.

486

487  **Pecos Hall** 36:06

488 We're looking for your picture.

489 Would you turn your camera on, Miss McDowell?
490 There you are.
491 Please raise your right hand.
492 Do you swear?
493 Affirm under penalty of perjury, that the testimony you're about to give is the truth,
494 the whole truth, nothing but the truth.
495 Thank you.
496 I didn't hear you. I think you're muted.
497
498 **MR McDowen, Rachel** 36:27
499 Yes.
500
501 **PH Pecos Hall** 36:27
502 Yes, OK.
503 Great. Would you spell your name?
504
505 **MR McDowen, Rachel** 36:32
506 Rachel, Rachel and last name MCDOWN.
507
508 **PH Pecos Hall** 36:37
509 Thank you.
510 And you are seeking to be admitted before this division. As an expert in what field?
511
512 **MR McDowen, Rachel** 36:45
513 Land.
514
515 **PH Pecos Hall** 36:45
516 Very good.
517 Tell me a little bit about your education.
518 That would qualify you in that field.
519
520 **MR McDowen, Rachel** 36:52
521 Yes. So I graduated with a finance degree from St.
522 Houston State and I've been in land for about 12-11 twelve years.

523

524 **PH Pecos Hall** 37:02

525 OK, OK. What was the degree and when did you earn it?

526

527 **MR McDown, Rachel** 37:07

528 Finance and in 2015.

529

530 **PH Pecos Hall** 37:10

531 OK. Is that a BS or a BA? What is that?

532

533 **MR McDown, Rachel** 37:14

534 Yes.

535

536 **PH Pecos Hall** 37:14

537 OK. In in 20 when?

538

539 **MR McDown, Rachel** 37:17

540 2015.

541

542 **PH Pecos Hall** 37:18

543 2015, OK. And what work have you done?

544 Give me some.

545 Give me some titles.

546 You've held some responsibilities under those titles.

547 What companies you've worked for and some dates?

548

549 **MR McDown, Rachel** 37:31

550 OK, I started in 2015 with Anadarko Petroleum.

551 As a division order analyst.

552 And then in 2017?

553 I moved to Atlanta.

554 Analyst position and then in 2019 became a lean man for Anadarko Petroleum and

555 then joined OXY during the Anadarko Oxy acquisition.

556

557 **PH Pecos Hall** 37:56

558 And and what are your duties include?

559

560 **MR McDown, Rachel** 37:59

561 So I manage our rig schedule.

562 I work our non op position.

563 Currently.

564

565 **PH Pecos Hall** 38:14

566 So you manage the rig schedule and what else do you do?

567

568 **MR McDown, Rachel** 38:17

569 I monitor and manage our non OPS brick schedule or non op schedule.

570 So, you know, manage least states, acquisitions, trades, anything.

571 All I know.

572

573 **PH Pecos Hall** 38:41

574 Let me look at the.

575 At your resume, hold on.

576

577 **MR McDown, Rachel** 38:46

578 OK.

579

580 **PH Pecos Hall** 38:47

581 There may be a few things there that might help me.

582 What page is it on M's Vance.

583 It's on page 12 and I'm happy to put it up here.

584 No, it's OK.

585 I got it right here, I found it.

586 Thank you.

587 Manage lies. So contraction obligation was acting.

588 Lining schedule service line represented for asset development.

589 Draft review and negotiate agreements. OK, this is much more detailed here.

590 This is sort of what I was looking for.

591 What's in your resume here?

592

593 **MR McDown, Rachel** 39:20

594 OK.

595

596 **PH Pecos Hall** 39:20

597 So it's here.

598 So did you prepare this resume yourself?

599

600 **MR McDown, Rachel** 39:25

601 Yes.

602

603 **PH Pecos Hall** 39:26

604 Great. Is it true and accurate to your knowledge?

605

606 **MR McDown, Rachel** 39:30

607 Yes.

608

609 **PH Pecos Hall** 39:31

610 Are there any corrections you wanna make to it?

611

612 **MR McDown, Rachel** 39:34

613 No.

614

615 **PH Pecos Hall** 39:34

616 OK then.

617 From here on in, this division recognizes you as an expert in petroleum land matters,
618 so you're qualified.

619 Now we will have questions for you when we come back to this case in a little bit. Mr.
620 McClure is our technical examiner today.

621 He does have questions for your geologist.

622 So please get your geologist to join you or to sign on separately and just wait for the
623 case to be recalled.

624

625 **MR McDown, Rachel** 40:03

626 OK.

627

628 **PH Pecos Hall** 40:03

629 All right.

630 Thank you.

631 We're off the record in this case for now.

632 We have a lot of cases to come back to, so I'm going to get confused. So that's up to
633 the up to the parties at this point to remind me that what we need to recall, I have
634 one small screen here to deal with. So I'm going to.

635 On to Avant operating to LLC 26144 entries please.

636

637 **KL Kaitlyn Luck** 40:27

638 During Examiner Caitlin Locke appearing for Yvonne.

639

640 **PH Pecos Hall** 40:30

641 Thank you, miss luck.

642 Any other parties Miss Luck?

643

644 **KL Kaitlyn Luck** 40:34

645 It was my understanding that Mister White had appeared previously, but withdrew
646 that objection and Freya sent around that withdrawal.

647

648 **PH Pecos Hall** 40:44

649 OK.

650 So the withdrawal would be in the file.

651

652 **KL Kaitlyn Luck** 40:48

653 Yes.

654

655 **PH Pecos Hall** 40:49

656 Let me take a look.

657 Do you have the date for the withdrawal?

658

659 **KL Kaitlyn Luck** 40:52

660 I'm sorry I don't have it.

661 I can pull it up.

662

663 **PH Pecos Hall** 40:54

664 I can pull it up too.

665 I just thought you might have it.

666 Hold on a second.

667 Maybe you should pull it up because I don't.

668

669 **KL Kaitlyn Luck** 41:06

670 OK, it looks like yes it looks.

671

672 **PH Pecos Hall** 41:08

673 My system is still.

674 I'm still waiting for the system to find the file.

675

676 **KL Kaitlyn Luck** 41:11

677 Sorry about that. OK.

678 So it looks like it was on June 3rd. Mr. Phillip White submitted an e-mail to Freya

679 Chance, the hearing clerk with a subject line of withdrawal of objection.

680 That was it. On June 3rd at 11:54.

681

682 **PH Pecos Hall** 41:23

683 All right.

684 Thank you.

685 I would like to look at the imaging system, but for some reason.

686 Oh, there we go. OK, it.

687 Just popped in.

688 All right, so I have your exhibits filed on 6/24.

689 I'm going to accept them into evidence as there's no other party to object.

690 Let me go to Mr. McClure. Mr. McClure, do you have questions on this case?

691

692  **McClure, Dean, EMNRD** 41:46

693 Hi Mr. examiner.

694 I will have questions for the land man.

695

696 **PH Pecos Hall 41:49**

697 Miss luck, your land man.

698

699 **KL Kaitlyn Luck 41:52**

700 Yes, our land man, Tiffany Sorrentino, should be here on the call today.

701

702 **PH Pecos Hall 41:56**

703 You want to call her.

704

705 **KL Kaitlyn Luck 41:57**

706 Yes, at this time, Yvonne would call Tiffany Sorrentino's, the land man, in this case
707 26144.

708 I think she's appearing on teams.

709

710 **PH Pecos Hall 42:05**

711 She is.

712 And I recognize you, Miss Sarantinos, as an expert in land matters.

713

714 **TS Tiffany Sarantinos 42:08**

715 Good morning.

716

717 **PH Pecos Hall 42:09**

718 So we don't have to go through any of that.

719 Would you raise your right hand?

720 Please do you swear or affirm under penalty of perjury, the testimony you're about to
721 give is the truth, the whole truth, nothing but the truth.

722

723 **TS Tiffany Sarantinos 42:19**

724 I do.

725

726 **PH Pecos Hall 42:19**

727 Thank you.

728 Please spell your name.

729

730  **Tiffany Sarantinos** 42:21

731 TI FF. ANY sorrentino's Sara NTINOS.

732

733  **Pecos Hall** 42:30

734 Thank you, Mr. McClure.

735

736  **McClure, Dean, EMNRD** 42:33

737 Thank you, Mr. Herring examiner.

738 I'm miss Sarah Tinos.

739 Can you briefly explain for me the relationship between Avant and catera?

740

741  **Tiffany Sarantinos** 42:43

742 Avant one divested to katera, but aside from that, there is no.

743 Tie.

744

745  **McClure, Dean, EMNRD** 42:52

746 OK.

747 So the applicant in this case is Avant 2. Is that correct?

748

749  **Tiffany Sarantinos** 42:57

750 That is correct, yes.

751

752  **McClure, Dean, EMNRD** 42:59

753 OK.

754 So then there is no connection or there's no relation, or is no connection between
755 avonc 2 and katera.

756 Is that correct then?

757

758  **Tiffany Sarantinos** 43:06

759 That is correct, yes.

760

761  **McClure, Dean, EMNRD** 43:08

762 OK.
763 I'm looking at.
764 Your NSP affected person list exhibit C5. First one's on page 70 of 92.

765

766  **Tiffany Sarantinos** 43:21

767 OK.

768 Yes.

769

770  **McClure, Dean, EMNRD** 43:26

771 OK, I noticed on the I mean kind of towards the bottom of the table there, there's a
772 reference to AJ, Cleo Thompson and A James Cleo Thompson Junior that looks like
773 they have a working interest in track one.

774

775  **Tiffany Sarantinos** 43:38

776 Yes.

777

778  **McClure, Dean, EMNRD** 43:41

779 Do you see where I'm referring to?

780

781  **Tiffany Sarantinos** 43:42

782 Yes.

783

784  **McClure, Dean, EMNRD** 43:45

785 Do those persons still own a working interest in track one?

786

787  **Tiffany Sarantinos** 43:49

788 To my knowledge, I believe so, yes.

789

790  **McClure, Dean, EMNRD** 43:52

791 Were they provided notice of this application?

792

793  **Tiffany Sarantinos** 43:56

794 I would assume so, yes.

795 I'm sorry, I'm looking for Caitlin's notice of documents and I'm not seeing it in here.

796 So Caitlin, maybe you could hop in.

797

798  **McClure, Dean, EMNRD** 44:10

799 And miss luck. Can you direct me to where that notice might be referenced?

800

801  **Kaitlyn Luck** 44:16

802 Yeah. So in exhibit EI, don't believe that we had an address for those two persons.

803 And so we provided notice by publication in the affidavit of the publication which is

804 attached as the final page 92.

805

806  **McClure, Dean, EMNRD** 44:35

807 I miss Sarah tinals.

808 Does that sound correct to your understanding?

809 Is that Avant was unable to locate?

810 Addresses for these individuals.

811

812  **Tiffany Sarantinos** 44:44

813 It does.

814 And we actually had our Wolfcamp and PEN cases already taken under advisement

815 last month.

816 So it's all the same owners here.

817

818  **McClure, Dean, EMNRD** 44:53

819 I guess miss saratino's.

820 I guess I'm not asking about those cases that were taken on advisement. Is that your

821 understanding that Avant was unable to locate addresses for those two persons?

822

823  **Tiffany Sarantinos** 45:03

824 Yes, Sir.

825 Yep, for the notice on those, yes.

826

827  **McClure, Dean, EMNRD** 45:07

828 And do you believe that Avant conducted a good faith effort to find address locate

829 addresses for these persons?

830

831  **Tiffany Sarantinos** 45:15

832 I do.
833 We have a.
834 We hire a broker firm who runs all of our title.
835 We have a current title opinion and we have access to a address look up service that
836 we pay for.

837

838  **McClure, Dean, EMNRD** 45:30

839 OK.
840 I'm looking at page 71 of 92 where there's reference to Katerra having a or being the
841 operator in track.
842 I guess I'm going to say track three, but that block that says track three to the east
843 side. Do you see what I'm referring to, Miss Sarantino's?

844

845  **Tiffany Sarantinos** 45:47

846 I do? Yep.

847

848  **McClure, Dean, EMNRD** 45:48

849 Was Katerra provided notice of this application?

850

851  **Tiffany Sarantinos** 45:54

852 I would assume so, yes.
853 Sorry, we don't provide notice.
854 That's what? That's what our Council does for us so.

855

856  **McClure, Dean, EMNRD** 46:05

857 Miss Luck, can you direct me to where there's documentation regarding that notice?

858

859  **Tiffany Sarantinos** 46:05

860 I.

861

862  **Kaitlyn Luck** 46:13

863 And Mr. Henry, Examiner, I would like to double check that our tracking list is
864 complete, but I do believe that unfortunately, we missed them on the mailed notice.
865 They are included on the notice of publication.
866 And so if the division would request that we mail a notice to coterie, we I'm happy to

867 do so and file a continuance of this hearing so that they do receive mail notice.
868 I'm sorry, that was a error on my part that it's not included on this tracking list and I
869 would just like to double check.

870

871  **Pecos Hall** 46:38

872 OK, Mr. McClure.

873

874  **McClure, Dean, EMNRD** 46:40

875 Yeah, I mean, yeah.

876 I mean, they're they're going to.

877 We're going to need to do that.

878 I guess we'll have to have a continuance one way or the other. Whether that is just to
879 provide us with an amended exhibit packet with that tracking information or to cure
880 notice one way or the other there I guess.

881

882  **Pecos Hall** 46:54

883 And Mr. McClure, do you have any other questions for Miss Sorrentino while she's
884 with us?

885

886  **McClure, Dean, EMNRD** 46:58

887 Yes, I do, Mr. herring examiner.

888

889  **Pecos Hall** 47:00

890 OK.

891 Go right ahead.

892

893  **McClure, Dean, EMNRD** 47:01

894 Well, Miss Tarantino's I'm looking at let me see. I get a page number.

895 Regards to your summary communications, I have page 68 wrote on my notes.

896 Let me look OK.

897 Yeah. The summary of contracts or contacts.

898 Exhibit C4, page 68, new seritino's.

899

900  **Tiffany Sarantinos** 47:18

901 Yeah. Yes.

902

903  **McClure, Dean, EMNRD** 47:22

904 OK. Do you see on like your bullet point?

905 Like your third bullet point up from the bottom where it says like AO2.

906 Had multiple communications.

907 Blah blah blah outlined in the following slides. Do you?

908

909  **Tiffany Sarantinos** 47:38

910 Yes.

911

912  **McClure, Dean, EMNRD** 47:39

913 OK.

914 Yeah, I guess are those following slides included anywhere here and if so, where?

915

916  **Tiffany Sarantinos** 47:40

917 Yep.

918 It looks like it's on page 67 when I'm looking at it.

919 It might have just.

920

921  **McClure, Dean, EMNRD** 47:50

922 Oh, OK.

923 So then the prior page is what you were referring to when you said following slides

924 then?

925

926  **Tiffany Sarantinos** 47:57

927 Yep, it looks like they should have been in a different order. Yes, Sir.

928

929  **McClure, Dean, EMNRD** 48:01

930 OK.

931 And then there's also reference the bullet point directly above that says AO2 sent
932 working interest owners AJLA upon request.

933 You see what I'm referring to?

934

935  **Tiffany Sarantinos** 48:10

936 That is correct, yes.

937

938  **McClure, Dean, EMNRD** 48:12

939 Did you include those?

940 Well, did any working interest owners request a JOA?

941

942  **Tiffany Sarantinos** 48:18

943 Several owners requested the JOA yes.

944

945  **McClure, Dean, EMNRD** 48:22

946 And did you include those communications anywhere in these?

947 I'm assuming two slides.

948 Is that correct of what's included here?

949

950  **Tiffany Sarantinos** 48:31

951 So only if they sign the JOA we we didn't list it here.

952 So of all the owners that requested the JOA and signed it, then they're listed as a
953 committed party, obviously under the JOA.

954

955  **Kaitlyn Luck** 48:46

956 And that would be page 58. I think there may be 5859 and 60. That reflects the
957 parties that are committed under the JOA.

958

959  **McClure, Dean, EMNRD** 49:06

960 OK then.

961 So Miss Saratino then, is it accurate to say that everybody that requested a JLA
962 signed a JLA then?

963

964  **Tiffany Sarantinos** 49:15

965 Yeah, I would say that's true. Looking at this summary of contacts, refreshing my
966 memory here, yes, or we acquired their interest because we did that on a large
967 handful because our working interest here you'll see is quite high.

968

969  **McClure, Dean, EMNRD** 49:21

970 OK.

971 OK.

972 So then one or the other, either every person that requested a JLA either signed that
973 JLA or AVAUNT to acquire their interest. Is that correct?

974

975  **Tiffany Sarantinos** 49:37

976 That is correct.

977 And a lot of these are just unleased mineral interest owners, so they don't generally
978 participate as a working interest owner.

979 So. So they were leased or they signed the JOA.

980

981  **McClure, Dean, EMNRD** 49:57

982 OK.

983 Yeah. Thank you, miss Sarantino's. Mr. hang examiner.

984 I do have some requests for Miss Luck in regards to the CPAC in addition to our
985 notice concerns, I guess.

986

987  **Pecos Hall** 50:05

988 Oh, go right ahead.

989 Yep, go right ahead.

990

991  **McClure, Dean, EMNRD** 50:09

992 I missed. Look, I'm looking at your CPAC.

993 Let me get scrolled up to it.

994 Now let me get scrolled back down to the entry I'm looking for here.

995 Miss, look, I'm looking at page 8 of 92.

996 Where you have your supervision costs, you see what I'm referring to.

997

998  **Kaitlyn Luck** 50:41

999 Mr. hearing examiner.

1000

1001  **McClure, Dean, EMNRD** 50:44

1002 Here you have the you have both costs I guess listed in like you're like saying drilling
1003 supervision is 10,000 and 1000.

1004 Do you see what I'm referring to?

1005

1006  **Kaitlyn Luck** 50:57

1007 Yes, I apologize.

1008 I can make that correction.

1009

1010  **McClure, Dean, EMNRD** 51:01

1011 OK.

1012 Thank you, miss luck. In addition to that, the only other thing I'd noticed.

1013 That we need to correct it is now let me scroll back up.

1014 On your Page 3.

1015 Of 92, where you're talking about the building blocks.

1016 Do you see him?

1017

1018  **Kaitlyn Luck** 51:23

1019 Yeah. Yes.

1020

1021  **McClure, Dean, EMNRD** 51:25

1022 Yeah, miss, look, if we can correct that to be the size of the building blocks,

1023 presumably 40 acre rather than being non standard, it'll regardless where the Hsu is

1024 non standard, it's still made-up of building blocks I guess.

1025

1026  **Kaitlyn Luck** 51:33

1027 OK.

1028 OK.

1029 I'll make those corrections.

1030

1031  **McClure, Dean, EMNRD** 51:41

1032 OK.

1033 Very good. Thank thank you.

1034 Ms. look.

1035 Thank you, Mr. Herring examiner.

1036 I I don't have anything further on this case at the moment.

1037

1038  **Pecos Hall** 51:48

1039 All right, miss luck.

1040 When do you anticipate continuing this case until?

1041

1042 **KL Kaitlyn Luck** 51:54

1043 Well, I think we would need 20 days to complete the hearing notice. And so I would
1044 just request the next available affidavit docket, which may be the August 6th.

1045

1046 **TS Tiffany Sarantinos** 52:06

1047 Hey, Caitlin, is there any way we could be heard by affidavit and then just continue
1048 the nonstandard portion?

1049 This is on our very near term brick schedule.

1050

1051 **KL Kaitlyn Luck** 52:21

1052 Yeah. So I would just.

1053 I mean ask that the division expedite in order that be issued, but unfortunately I do
1054 think that we have to be continued to the August 6th stock, is that correct?

1055

1056  **McClure, Dean, EMNRD** 52:38

1057 He asked in the hearing examiner.

1058 Miss Luck or myself?

1059

1060 **KL Kaitlyn Luck** 52:43

1061 Well, yes, either one.

1062 I think the next available docket for affidavits is August 6th, after the July docket.

1063

1064 **PH Pecos Hall** 53:11

1065 Well, if there's nothing further, we'll.

1066 Recess this case until Miss Luck follows through with the.

1067 Mr. McClure's requests.

1068 Let's go on to our next I'm sorry, miss. Miss. Miss luck. If you're gonna speak, will you
1069 turn your camera on?

1070

1071 **KL Kaitlyn Luck** 53:23

1072 OK. And we will file an amended exhibit packet. Thank you.

1073

1074 **PH Pecos Hall** 53:29

1075 So I I know what you're what you're doing.

1076

1077 **KL Kaitlyn Luck** 53:33

1078 Yes, Mr. herring examiner. So we will file an amended exhibit packet by the end of
1079 this week and request that the case be continued on August 6th. Thank you.

1080

1081 **PH Pecos Hall** 53:41

1082 Sounds good.

1083 All right, let's move on to case #9 on our docket.

1084 This is a mubaran case. It looks like there might be more than one of them.

1085 Yes, it looks like there are four of them.

1086 These are two 615-354-5556 entries please.

1087 Good morning, Mr. hearing examiner Paula Vance with the Santa Fe Office of Holland
1088 and Hart, on behalf of Mubar Oil Company, and I don't believe there are any other
1089 parties, Mr.

1090 Oh, I'm sorry. Sorry my bad.

1091 No, actually that's fine.

1092 I would like to verbally enter my parents today, Kerry Hatley, entering her parents on
1093 behalf of Conoco Phillips Company and COG Operating LLC. We are not objecting
1094 and we'll follow up with a written entry later today. Thank you.

1095 Thank you. Miss hatley. Go right ahead, Miss Vance.

1096 Sorry, Miss Hadley. I knew you were going to do that, and it blew right by me, so.

1097 In case numbers 26153 through 261556.

1098 Each of these, the four individual cases, each of them involve pooling 480 acres
1099 standard spacing units, and that covers in its entirety the South half of section 16. All
1100 of sections 21 and 28 in the north half of section 33, and that.

1101 All in Eddy County, New Mexico.

1102 Each of these spacing units is in the Bone Spring.

1103 And the pool and pool code that has been assigned by the division.

1104 Soon as the.

1105 Bilbury base and Bone Spring and the pool code is 5695 and the wells involved here
1106 are the cousin Eddie Fedcomwell 78H79H90H and 91H.

1107 We have included our statement from our land man, Miss Adriana Jimenez Salgado,
1108 who has previously testified before the division as well as our geologist Tyler Hill.

1109 Who has also previously testified.

1110 Before the division in both of their credentials have been accepted as a matter of

1111 record, and then along with their statements, we've included the required sub
1112 exhibits for both land and geology.
1113 And then that's followed by myself affirmed statement of notice with a sample copy
1114 of the notice letter that went out that was timely mailed on May 15th, 2026, and an
1115 NOP notice of publication with the affidavit.
1116 From May 20th, 2026.
1117 And unless there are any questions, I would ask that these cases be taken under
1118 advisement at this time that the exhibits and sub exhibits be admitted into the record
1119 and that the cases be taken under advisement.
1120 Your exhibits are admitted in all four cases.
1121 I know Mr. McClure has questions and which experts do you want to question, Mr.
1122 McClure?

1123

1124  **McClure, Dean, EMNRD** 56:34

1125 Well, it may be that Miss Vance can direct me to where the exhibits are, I guess.

1126

1127  **Pecos Hall** 56:40

1128 OK.

1129

1130  **McClure, Dean, EMNRD** 56:40

1131 Or let her know that we're missing those exhibit slides, I guess.

1132

1133  **Pecos Hall** 56:44

1134 Go right ahead, Mr. McClure.

1135

1136  **McClure, Dean, EMNRD** 56:46

1137 I Miss Vance in all these cases.

1138 Is there a recapitulation table anywhere and a commitment table anywhere within
1139 exhibit packet?

1140 And if so, can you direct me to him, I guess.

1141

1142  **Pecos Hall** 57:03

1143 It appears that that piece is missing.

1144 Let me see. OK.

1145 We've got our breakdown by tract.

1146 The recapitulation is if you go to, I'm looking at the first case at least 26153.
1147 It's on page 17 at the very end and it should be at the end of the pooling exhibit for
1148 each of the cases.
1149 Let me see if they're all on page 17.

1150

1151  **McClure, Dean, EMNRD** 57:33

1152 Miss Luck, I guess.

1153 Is it your understanding that this is all we have for the recapitulation table and we
1154 don't have a breakout of the ownership for the entire unit?

1155

1156  **Pecos Hall** 57:43

1157 So this is Miss Vance speaking, not Miss Luck.

1158 Just want to point that out.

1159

1160  **McClure, Dean, EMNRD** 57:46

1161 Oh, I I apologize.

1162

1163  **Pecos Hall** 57:48

1164 That's OK.

1165

1166  **McClure, Dean, EMNRD** 57:48

1167 I miss Vance.

1168 I I I know it's you, Miss Vance.

1169

1170  **Pecos Hall** 57:51

1171 That's OK.

1172 I'm just.

1173 I'm just teasing so well as far as I can see, we've got the ownership breakdown by
1174 tract and you'll see again, I'm just going to use the first case as an example. So and
1175 I'll go ahead and share my screen since that always seems to be an easier.

1176

1177  **McClure, Dean, EMNRD** 57:52

1178 I.

1179 Mm-hmm.

1180

1181  **Pecos Hall** 58:09

1182 Way to do this.

1183 Give me one second here. So let me pull out.

1184 Let me back out of this.

1185 So we've got on this one.

1186 We've got our ownership broken down by tract and you'll see up here. Tracked one
1187 track, two, track three, track four, track 5, and that's broken down and indicated here
1188 what those different individual tracks are in the legend there. And then you'll see
1189 again, tracked one track, two track.

1190 Three, so there's your.

1191 Breakdown on a track basis and then on a recapitulation basis.

1192 It's all combined here together.

1193 Tracked one track, two track three, track 5.

1194 And let's see, and it's broken down.

1195 It appears that the total presented percentage interest.

1196 I believe, yeah, the makeup of that now I I guess what you're asking.

1197 For is you wanna see the pooled interest all combined here broken out.

1198

1199  **McClure, Dean, EMNRD** 59:17

1200 That's that's correct.

1201 M's Vance, I guess.

1202

1203  **Pecos Hall** 59:19

1204 OK.

1205

1206  **McClure, Dean, EMNRD** 59:21

1207 The decision here is whether this is something that we can.

1208 Leave the record open till the end of the day, or if it needs to be continued towards
1209 that end. Maybe if we can bring on your your Landman to describe for me exactly
1210 how the land man would compute.

1211 The table that we're going to need included here.

1212

1213  **Pecos Hall** 59:43

1214 Sure, she should be available, Miss Salgado.

1215 Let's see.
1216 I know I saw her.
1217 There she is.
1218 Do you see?
1219
1220 **AS Adriana Salgado** 1:00:02
1221 Can you hear me?
1222
1223 **PH Pecos Hall** 1:00:05
1224 We can miss Elgato.
1225 Would you please raise your right hand? Do you swear?
1226 Affirm under penalty of perjury testimony, you're about to give is truth. The whole
1227 truth, nothing but truth.
1228
1229 **AS Adriana Salgado** 1:00:17
1230 Yes, Sir.
1231
1232 **PH Pecos Hall** 1:00:18
1233 Thank you.
1234 You can put your hand down, spell your name.
1235
1236 **AS Adriana Salgado** 1:00:20
1237 It's Adriana, ADRI.
1238 Ana.
1239 A Salgado Salgado.
1240
1241 **PH Pecos Hall** 1:00:29
1242 And have you previously been qualified as an expert by this division?
1243
1244 **AS Adriana Salgado** 1:00:32
1245 Yes, Sir.
1246
1247 **PH Pecos Hall** 1:00:33
1248 In what field?

1249

1250  **Adriana Salgado** 1:00:36

1251 Land.

1252

1253  **Pecos Hall** 1:00:37

1254 Very good, Mr. McClure.

1255

1256  **McClure, Dean, EMNRD** 1:00:39

1257 Thank you, Mr. Herring examiner.

1258 Mr. Segato, did you?

1259 Were you, I guess.

1260 Listen, let me start again. If I were to ask you to provide a recap appreciation table

1261 that includes the.

1262 Interest, owned by each working interest owner for the entirety of the unit.

1263 Do you understand what I'm asking for?

1264

1265  **Adriana Salgado** 1:01:03

1266 I believe so.

1267 Their working interests over the entirety of the unit.

1268

1269  **McClure, Dean, EMNRD** 1:01:09

1270 Yes, that's correct.

1271 And how would you go about preparing that table?

1272

1273  **Adriana Salgado** 1:01:18

1274 I would add their working working interest in each of the tracks and then divide it by

1275 the total number of acres of the working interest unit.

1276

1277  **McClure, Dean, EMNRD** 1:01:30

1278 OK then. So for an example, you would just take all the net mineral acres that like

1279 Oxy USA Incorporated has and then you just take that number, divide it by the

1280 overall acres in the unit?

1281 Is that correct?

1282

1283  **Adriana Salgado** 1:01:43

1284 Correct.

1285

1286  **McClure, Dean, EMNRD** 1:01:46

1287 OK. In regards to putting together a commitment table, do you understand what I'm
1288 referring to?

1289

1290  **Adriana Salgado** 1:01:52

1291 Yes, Sir.

1292

1293  **McClure, Dean, EMNRD** 1:01:54

1294 Ken, how would you go about preparing that?

1295

1296  **Adriana Salgado** 1:01:59

1297 That is how I prepared it on this recapitulation. If I'm understanding you correctly.
1298 The number of anchors committed by each tract and then divided by the total
1299 number of acres in the proposed working interest unit.

1300

1301  **McClure, Dean, EMNRD** 1:02:14

1302 No, that's not what I'm asking about.

1303 There's a table that needs to be included within the exhibit packet that lists out each.
1304 Interest owner and whether they're committed or not to the unit.

1305 Do you understand what I'm referring to?

1306

1307  **Adriana Salgado** 1:02:28

1308 Oh yes, Sir.

1309

1310  **McClure, Dean, EMNRD** 1:02:30

1311 OK. Would it be accurate to say that each of these persons that is highlighted yellow
1312 are going to be listed as being uncommitted, is that correct?

1313

1314  **Adriana Salgado** 1:02:43

1315 The only reason it's not accurate today is because we did receive MRC Hat Mesa and
1316 MRC. Permian Companies signed JOA and elections yesterday.

1317 The rest of the parties that are highlighted, it would be correct, they would stay
1318 highlighted.

1319

1320  **McClure, Dean, EMNRD** 1:03:01

1321 Yeah, I guess that's not what I'm what I'm asking, but I mean that is useful
1322 information I guess.

1323 We require a table that is not this. It's going to be a list of all your interest owners
1324 and you're going to say whether they're committed to the unit or not. In one of the
1325 columns, you understand what I'm referring to, and in preparing that table, would it?

1326

1327  **Adriana Salgado** 1:03:21

1328 OK. I do. Yes, Sir.

1329

1330  **McClure, Dean, EMNRD** 1:03:26

1331 Be accurate to say that each of these persons highlighted in yellow.

1332 Are going to be listed as uncommitted with the exception of.

1333 Well, I was gonna say matador, but I guess MRC premium and MRC have Mesa, is
1334 that correct?

1335

1336  **Adriana Salgado** 1:03:42

1337 That is correct, correct.

1338

1339  **McClure, Dean, EMNRD** 1:03:46

1340 And is this, are these tables something that you'd be able to provide by the end of
1341 the day?

1342

1343  **Adriana Salgado** 1:03:52

1344 Yes, Sir.

1345

1346  **McClure, Dean, EMNRD** 1:03:56

1347 Mr. hearing examiner, I don't have any further questions in regards to these cases.

1348

1349  **Pecos Hall** 1:04:04

1350 And it sounds like we can leave the record open until 5:00 PM today.

1351

1352  **McClure, Dean, EMNRD** 1:04:09

1353 At your discretion, I believe we can.

1354

1355  **Pecos Hall** 1:04:13

1356 My discretion is driven by your need to review.

1357 Do you have a need to review whatever this witness submits by 5:00 PM?

1358

1359  **McClure, Dean, EMNRD** 1:04:23

1360 Mr. Hing Examiner provided that she puts together the tables, as we've just

1361 highlighted verbally. Then I do not.

1362

1363  **Pecos Hall** 1:04:30

1364 OK.

1365 Thank you, Mr. McClure.

1366 M's Vance. We'll get it done.

1367 OK, Mr. McClure.

1368 Was that in one case or multiple cases?

1369

1370  **McClure, Dean, EMNRD** 1:04:39

1371 Mr. Examiner, that was for all four cases.

1372

1373  **Pecos Hall** 1:04:42

1374 M's Vance got it.

1375 OK.

1376 All right. So we'll leave the record open till 5:00 PM today for that correction to be

1377 made to all four cases. Would you file a cover letter with your amended package?

1378 Of course, all right.

1379 Thank you.

1380 And if you do that, we'll take the cases under advisement. Thank you.

1381 Let.

1382 Us.

1383 Give me one minute.

1384 Right. OK.

1385 26144.

1386 All right, let's move on now to.
1387 535556 looks like another mubaran or another couple of mubaran cases, 261-582-
1388 6162. Entries of appearance, please, Mr. Examiner.
1389 Dana Hardy with Hardy McLean on behalf of Mubar.
1390 And there are no other parties. Perfect.
1391 Did I miss anything here?
1392 I want to make sure I didn't miss another case.
1393 No, those were the next cases.
1394 Go right ahead.
1395 Go right ahead, Miss Hardy.
1396 Thank you.
1397 Well, we took these cases over late last week due to Mr. Bruce's unfortunate passing,
1398 and so we just filed a motion to continue them to August 6th so that we can send
1399 out notices because we were trying to determine what had been done and we will
1400 go.
1401 Ahead and do that so the motions haven't been granted yet. Is that right?
1402 Right. We filed them late yesterday late yesterday.
1403 Pray, would you grant the motions please?
1404 Yes, I see them in the queue.
1405 Thank you.
1406 And so you'll be ready for the August 6th Doctor.
1407 Oh, August 6th docket, not July. OK.
1408 Very good.
1409 You have to start notice from scratch, correct. OK, thank you.
1410 All right, we're off the record in those two cases.
1411 Let's move on to #15 Permian resource operating 26165.
1412
1413  **Jaclyn M. McLean** 1:06:48
1414 Hi again, Jackie McClain on behalf of Permian Resources.
1415 And there are no other parties that have entered an appearance in this case.
1416
1417  **Pecos Hall** 1:06:52
1418 Miss.
1419 Miss McClain, go right ahead.

1420

1421 **JM Jaclyn M. McLean 1:06:58**

1422 Thank you. In this case, Permian Resources is seeking to pull all uncommitted
1423 interests in the Bone Spring Formation underlying A320 acre more or less standard
1424 overlapping horizontal spacing unit.

1425 And to dedicate or sorry and this will be comprised of the north half N half of
1426 sections 9 and 10.

1427 Township 20 S range 28 E in Eddy County and the unit will be dedicated to the Koala
1428 910 FEDCOM, 121 H well, we submitted exhibits timely in this case.

1429 And it includes the land testimony and corresponding exhibits of Adam Reeker, who
1430 has previously testified before the division and has been recognized an expert in
1431 petroleum land matters. We also include the geology, testimony and exhibits.

1432 From Chris rudelhuber.

1433 And Mr. Rudelhuber could not be with us today. So we actually have Shane Jarvie,
1434 who has been previously admitted as an expert in petroleum geology matters and is
1435 available to answer questions if there are any today. And then we have our notice,
1436 testimony and exhibits, which include a.

1437 Letter sent to all interested parties on May 6, 2026.

1438 As well as a publication affidavit from May 13th, 2026.

1439 With that, I ask that the exhibits be admitted for case 26165 and that the case be
1440 taken under advisement.

1441

1442 **PH Pecos Hall 1:08:27**

1443 Your exhibits are admitted into evidence.

1444 Let me read the notes here.

1445 Hold on a minute.

1446

1447 **JM Jaclyn M. McLean 1:08:32**

1448 OK.

1449

1450 **PH Pecos Hall 1:08:36**

1451 Based on Mr. McClure's notes, I believe we can take this case under advisement.

1452 Thank you, miss McLean.

1453

1454 **JM Jaclyn M. McLean** 1:08:41

1455 Great. Thank you.

1456

1457 **PH Pecos Hall** 1:08:43

1458 Alright, let's move on to case number 16 on the docket.

1459 This is Matador production company 26166.

1460 Good morning, Mr. hearing examiner Paula Vance with the Santa Fe Office of Holland
1461 and Hart, on behalf of the applicant, MRC Permian Company and I don't believe
1462 there are any other parties in this case.

1463 Please proceed.

1464 All right. In case number 26166.

1465 MRC is seeking approval of an overlap and then pooling.

1466 The uncommitted interests in a 639.84 acre unit, and that includes lots one and two,
1467 the South half of the Northeast quarter and the Southeast quarter, which is the east
1468 half equivalent of irregular Section 3 and the east half of section 10.

1469 And that's all in Township, 22 S range 32 E.

1470 Lee County, New Mexico.

1471 MRC seeks to dedicate initially dedicated spacing unit to the Nina Quartel Fedcom.
1472 Wells, 243 H and 244-H.

1473 The the pool involved is a Wildcat gas pool.

1474 The pool code is 98258 and we have included in the hearing packet the statement of
1475 our land Man, Clay Wooten, who has previously testified. And then our statement
1476 from our geologist Blake Herber, who is also previously testified their credentials
1477 have been accepted as a.

1478 Matter of record and we've included all of the required sub exhibits and then along
1479 with that is myself, a burn statement of notice with a sample copy of the notice letter
1480 that went out on May 15th, 2026 along with the affidavit of notice of publication on.
1481 May 15th, 2026, and unless there are any questions, I would ask that the exhibits and
1482 sub exhibits be admitted into the record and that this case be taken under
1483 advisement at this time. And just one note and I did put this in there.

1484 Both in the CPAC and in our land statement and in our pre hearing statement that
1485 the wells are at a nonstandard location, the first and last take points MRC has filed
1486 separate administrative applications for those.

1487 Thank you, Miss Vance.

1488 The exhibits are admitted into evidence. Mr. McClure, any questions?

1489

1490  **McClure, Dean, EMNRD** 1:10:58

1491 Mr. Enigma, I'll have questions for their geologist.

1492

1493  **Pecos Hall** 1:11:01

1494 Would you call your geologist?

1495 Sure, Mr. Herbert.

1496 Would you raise your right hand, Sir?

1497

1498  **Matador** 1:11:18

1499 Yeah.

1500

1501  **Pecos Hall** 1:11:20

1502 Do you swear?

1503 Affirm under penalty of perjury, that the testimony you're about to give is the truth,
1504 the whole truth, nothing but the truth.

1505

1506  **Matador** 1:11:25

1507 I do.

1508

1509  **Pecos Hall** 1:11:26

1510 Thank you. Spell your name, please.

1511

1512  **Matador** 1:11:29

1513 Blake Herbert HERBER.

1514

1515  **Pecos Hall** 1:11:33

1516 OK. And you've previously been admitted as an expert before this division?

1517

1518  **Matador** 1:11:37

1519 I have.

1520

1521  **Pecos Hall** 1:11:38

1522 In what field?

1523

1524  **Matador** 1:11:39

1525 Geology.

1526

1527  **Pecos Hall** 1:11:40

1528 Thank you, Mr. McClure.

1529

1530  **McClure, Dean, EMNRD** 1:11:42

1531 Thank you, Mr. Herring examiner.

1532 Mr. Herbert, I'm looking at your cross section and exhibit.

1533 I think it's D3 on page 42 of 47.

1534

1535  **Matador** 1:11:53

1536 Sir.

1537

1538  **McClure, Dean, EMNRD** 1:12:03

1539 Mr. Herbert.

1540 Where I mean.

1541 Where would you identify the top of the Cisco at in this cross section?

1542

1543  **Matador** 1:12:15

1544 I think it's hard to say in this part of the basin.

1545 I'm not entirely sure that it's there.

1546 It could be right above that strong top if it is.

1547 But I guess that's my answer is I'm really not sure.

1548

1549  **McClure, Dean, EMNRD** 1:12:33

1550 I.

1551 I guess.

1552 I guess my follow up question is that you think it's possible the Cisco Formation does

1553 not exist, does not occur here.

1554

1555  **Matador** 1:12:44

1556 I think it's possible.

1557 We just don't have any definitive evidence really in the in the Delaware Basin that I

1558 know of that pins biostratigraphy through this part of the section, so.

1559

1560  **McClure, Dean, EMNRD** 1:12:59

1561 OK, I guess.

1562 Let me ask the question one more time.

1563 Do you think it's? Do you think it OK?

1564 Do you think it's most likely that the Cisco does not occur, or do you think it's most

1565 likely that you just don't know where the top of it is?

1566

1567  **Matador** 1:13:12

1568 I think it probably does occur.

1569 But I'm just not sure where to pin it on here.

1570

1571  **McClure, Dean, EMNRD** 1:13:22

1572 OK. Within this yellow highlighted area, where are these wells actually going to be
1573 targeted at?

1574

1575  **Matador** 1:13:31

1576 Right about in the middle.

1577 So like on the the top hat, well on the right.

1578 By a prime.

1579 Right around 13,000.

1580 On that log on the the right side of the cross section.

1581

1582  **McClure, Dean, EMNRD** 1:13:55

1583 Are both wells.

1584 Do both wells have the same approximate total vertical depth?

1585

1586  **Matador** 1:14:01

1587 Yes.

1588

1589  **McClure, Dean, EMNRD** 1:14:05

1590 Would it be accurate to say that they're currently proposed to be at 13,230?

1591

1592  **Matador** 1:14:17

1593 As far as the the landing point of those wells?

1594

1595  **McClure, Dean, EMNRD** 1:14:20

1596 As far as yeah, I guess the the.

1597 The the bench that the well that the laterals plan to be within.

1598

1599  **Matador** 1:14:33

1600 Yeah, I would say the landing point would be approximately 13,000 on that top hat
1601 log. So not quite as deep as 13230.

1602

1603  **McClure, Dean, EMNRD** 1:14:46

1604 OK. I guess the APDS, which Matador has approved for these wells, where are they
1605 currently proposing to place the wells?

1606

1607  **Matador** 1:14:57

1608 As far as the depth on the permit.

1609

1610  **McClure, Dean, EMNRD** 1:15:00

1611 Yes, that that's correct, Mr. Erbert.

1612

1613  **Matador** 1:15:03

1614 I don't have that in front of me.

1615 And then that log I'm referring to is further to the north.

1616 It's further up structure, so that might not that depth I'm referring to on the log
1617 might not match our actual permitted DVD, but we feel that we can correlate these
1618 beds very well throughout the area and that's the strategy graphic bed that we're
1619 targeting.

1620 But I don't know the depth of the problem and I don't have it in front.

1621

1622  **McClure, Dean, EMNRD** 1:15:33

1623 Well, would you say that the surface hole location for these wells or which well in this
1624 cross section?

1625 Is the surface location of these wells closest to.
1626

1627  **Matador** 1:15:43

1628 It's about halfway between the first two wells on the left as far as depth goes, I guess.

1629 Actually depth wise I would go with the Connolly.

1630 So the log on the left.

1631 Would be the probably the closest on depth.

1632

1633  **McClure, Dean, EMNRD** 1:16:06

1634 OK.

1635 So then, assuming that 13,230 is correct for the proposed depth of the wells, where
1636 would you place it in this cross section you have here?

1637

1638  **Matador** 1:16:22

1639 Could you repeat that?

1640

1641  **McClure, Dean, EMNRD** 1:16:25

1642 Assuming that 13,230 is correct for the approved APDS for Matador.

1643

1644  **Matador** 1:16:34

1645 Right.

1646

1647  **McClure, Dean, EMNRD** 1:16:35

1648 Where would it be placed in this cross section?

1649

1650  **Matador** 1:16:44

1651 I think if you looked at the Connolly log.

1652 On the left.

1653 13230 is fairly close to where our target will be. I would say it will be a little bit above
1654 that.

1655

1656  **McClure, Dean, EMNRD** 1:17:00

1657 So then would it be accurate to say that maybe 1/3 of the way up in this yellow area
1658 would be where you're targeting?

1659

1660  **Matador** 1:17:09

1661 I would say right in the middle, right, halfway halfway in the yellow.

1662 So approximately 13200 on the Colum.

1663

1664  **McClure, Dean, EMNRD** 1:17:19

1665 Vegas, Mr. Erber, if I were to ask for a gun barrel diagram, do you understand what

1666 I'm asking for?

1667

1668  **Matador** 1:17:25

1669 I do.

1670

1671  **McClure, Dean, EMNRD** 1:17:33

1672 Mr. Erbert, what age of rock would you?

1673 Do you assume that this target interval is?

1674

1675  **Matador** 1:17:44

1676 I would assume it's the wolf camp.

1677

1678  **McClure, Dean, EMNRD** 1:17:49

1679 You think this is Wolf Champion aged rock? Is that correct?

1680

1681  **Matador** 1:17:54

1682 Correct.

1683

1684  **McClure, Dean, EMNRD** 1:17:57

1685 Even though the Cisco you don't know where the Cisco top is, you do you agree that

1686 the Cisco would be located in Pennsylvania?

1687

1688  **Matador** 1:18:07

1689 Yes.

1690

1691  **McClure, Dean, EMNRD** 1:18:09

1692 And do you know where the Cisco top is?

1693

1694  **Matador** 1:18:13

1695 No, not entirely.

1696 So I think it's debatable, but if I had to pin an age on this, I would say Wolf Champion.

1697

1698  **McClure, Dean, EMNRD** 1:18:23

1699 OK, I guess.

1700 Are you aware of where your connerlee federal #1 not yours.

1701 Your left most well in your cross section.

1702 Do you know where that well is perforated at?

1703

1704  **Matador** 1:18:38

1705 I don't have that in front of me.

1706 I've seen it before, but no.

1707

1708  **McClure, Dean, EMNRD** 1:18:42

1709 OK. I guess if I were to tell you that it's currently signed a Cisco Canyon pool and that
1710 the perforations are within your yellow area here that would that surprise you?

1711

1712  **Matador** 1:18:56

1713 No, it wouldn't, because I think that that yellow box could be interpreted two
1714 different ways.

1715 As far as what age it is.

1716

1717  **McClure, Dean, EMNRD** 1:19:11

1718 OK. Thank thank you, Mr. Erbert.

1719 Mr. hearing examiner.

1720 I guess I don't have any further questions, but I do have a request.

1721 For miss pants.

1722

1723  **Pecos Hall** 1:19:22

1724 Go right ahead.

1725

1726  **McClure, Dean, EMNRD** 1:19:23

1727 Hey, Miss Vance, if we can go ahead and get a gun barrel diagram provided for this
1728 case depicting where the wells are gonna be located.

1729

1730  **Pecos Hall** 1:19:31

1731 Yes, we can do that. I believe Mr. Herber had acknowledged that they they can put
1732 that together.

1733 I I do just want to say that you know, I understand the line of questioning that Mister
1734 McClure has gone through with our geologist, but Matador has.

1735 Has you know these are placed in the Wolfcamp pool? Based on the feedback that
1736 we've received from the that Matador has received from the division and has gone
1737 through a lot?

1738 Of the permitting process under the the understanding that these are in the
1739 Wolfcamp.

1740 And so we want to make sure that we are continuing to move forward because there
1741 has been these conversations about the pen and where the Cisco is or where it exists.
1742 But we want to make sure that we're moving forward based off of what Matador has
1743 received as.

1744 Far as feedback from the division and where these wells are placed and the feedback
1745 from the division, do you know who that came from?

1746 Sorry. You know it's my understanding and and I can confirm this with Matador, but
1747 you know everyone goes through the same process of reaching out to the district
1748 geologist, communicating with them and then also you know, as Mr. McClure
1749 pointed out, Matador has submitted their Apds, so they.

1750 Gone through a review.

1751 They have approved Apd's so their C1O twos were a part of that process and the the
1752 pool was included there.

1753 So I don't.

1754 I would have to look in the well details to see what you know technical.

1755 Expert reviewed them, but again, you know this. It's a very long permitting process
1756 for for all of these operators and we're work in. Matador is working under the
1757 assumption and the advisement from the division.

1758 We would like to avoid any further or any holdups, so thank you.

1759 But you can get a gun barrel diagram. That's correct.

1760 And Mr. McClure wants to review the gun.
1761 Barrel diagram.
1762 How soon can you have a gun barrel diagram?
1763 I would. I'm sure I will get confirmation, but I'm assuming before 5:00.
1764 So we could file that today. I think Mr. McClure wants to review the gun barrel
1765 diagram.
1766 So I don't think this case can be taken under advisement this afternoon at 5:00, but
1767 what we could do is expedite this for you since Mr.
1768 Mr. Felda, Wirt will be here on July 7.
1769 He will.
1770 I don't know if Mr. McClure will be, and I'll ask him, but maybe he can put some
1771 notes in there. If you file your gun barrel diagram and Mr. McClure signs off on that, I
1772 can just advise Mr. Felder that the case can be taken under advisement once.
1773 We once he calls the case.
1774 Does that sound good to you?
1775 We would very much appreciate that. Thank you.
1776 Mr. McClure, do you have any response to what M's van said about the pen
1777 Wolfcamp D issue?
1778
1779  **McClure, Dean, EMNRD** 1:22:35
1780 No, I don't think so.
1781 It sounds like she's relying upon the APD for the feedback from the division, I guess.
1782
1783  **Pecos Hall** 1:22:39
1784 OK, OK.
1785
1786  **McClure, Dean, EMNRD** 1:22:41
1787 But yeah, I don't have anything to follow up on that.
1788
1789  **Pecos Hall** 1:22:43
1790 OK, perfect.
1791 All right.
1792 So this case will be continued to July 7 by your client and we will review the gun
1793 barrel diagram.
1794 Perfect. We'll file a continuance and we'll prepare the revised hearing packet.

1795 Thank you.
1796 Appreciate it.
1797 We're off the record.
1798 In this case, let's see what the next case on the docket is.
1799 Looks like we have mubaran oil. It looks like there are two cases, 26182 and eight
1800 four.
1801 Dana Hardy, on behalf of New Bern and there are no other parties.
1802 Thank you, miss Hardy.
1803 Go ahead and we are in the same boat on these two cases as the prior two. We took
1804 them over from Jim Bruce late last week. So we've moved to continue them to
1805 August 6th. Of course. Granted, Fred, would you grant that continuance? Yes.
1806 All right, we're off the record in these two cases.
1807 Pieces.
1808 I think it says a lot about Jim Bruce that.
1809 Companies were willing to have him represent even though he had been in the
1810 hospital and been going through all these.
1811 Issues for so long it says a lot about what they thought of him. I think that's right.
1812 Yeah, yeah, it's sad.
1813 It is sad.
1814 Let's move on to Marathon Oil. Permian 26189, number 19 on the docket.
1815 Dana Hardy, on behalf of Marathon.
1816 And there are no other parties.
1817 Thank you, miss Hardy.
1818 Go ahead.
1819 Thank you. In this case, Marathon seeks to pull uncommitted interest in the Bone
1820 Spring.
1821 Formation underlying a 959.17 acre more or less non standard overlapping
1822 horizontal spacing unit comprised of the West half of section 35, Township 22 S,
1823 range 28 E lots three and four and the South half of the Northwest quarter.
1824 And Southwest quarter, which is the West half equivalent of irregular Section 2.
1825 In the West half of section 11 Township, 23 S.
1826 Range 28 E.
1827 In Eddy County.
1828 And proposes to dedicate the unit to the Trojan Shield federal wells.
1829 And our exhibits include the self affirm statements and test and exhibits of Landman,

1830 Jeffrey Stout and geologist Preston Dupree, both of whom have previously testified.
1831 Our notice testimony is provided in Exhibit C and shows that notice was timely sent
1832 to all parties on May 13th, and we did.
1833 Timely publish on May 20th, 2026 so with that.
1834 I asked the exhibits be admitted and that the case be taken advisement.
1835 Exhibits are admitted without exception.
1836 Cases taken under advisement.
1837 Thank you, miss Hardy.
1838 Thank you.
1839 Let's move on to another ivot case.
1840 This is 26190.
1841 Good morning, Mr. Examiner.
1842 Deena Bennett, on behalf of Avant, operating to LLC and I would note that.
1843 Last night, Permian Resources filed what I would consider to be an untimely notice of
1844 objection to the case, and the reason I think it's untimely, which I understand it's
1845 probably not going to be held to be untimely.
1846 But just to give a brief overview on May before you go on though, should we get
1847 everyone's entry of appearance?
1848 Sure. OK.
1849 Then you can go. OK, Miss McLain.
1850
1851 **JM Jaclyn M. McLean 1:26:02**
1852 Yes, it's.
1853 Yes, it's Jackie McLean on behalf of Permian Resources.
1854
1855 **PH Pecos Hall 1:26:09**
1856 Thank you, M's McLean.
1857 M's McLean before you. Before I let Miss Bennett go on which she has every right to
1858 do. I would also like to ask the parties a question. Now this. I see the word spicy
1859 chicken in here which brings up the entire contested hearing that we had a.
1860 Few months ago, we waited for a while for the for the.
1861 For the transcript of verbatim transcript, we waited for the parties to.
1862 Come back to a status conference to tell us when they would have their amending
1863 exhibits together and when they would have closing arguments.
1864 I think we agreed.

1865 Please tell me if I'm wrong Miss McClain and then I'll ask you. Miss Bennett, on July
1866 10.

1867 Is that right?

1868 No, that's wrong.

1869

1870 **JM Jaclyn M. McLean** 1:26:57

1871 It is July.

1872 13th No, sorry. Am I wrong on that?

1873

1874 **PH Pecos Hall** 1:27:02

1875 Oh, July 30th.

1876 Yeah, it's July 14th.

1877

1878 **JM Jaclyn M. McLean** 1:27:06

1879 14th July 14th sorry, July 14th. Yes, July 14th.

1880

1881 **PH Pecos Hall** 1:27:07

1882 Oh, July 14th. Freya, would you make a note of that? Because you and I spoke about
1883 that last week and I'm not sure that we agreed on that date.

1884 So that's why I asked the question July 14th.

1885 You do have that date OK, fantastic.

1886 OK.

1887 So thank you, Miss McLean. Miss Bennett, what did you want to say about the
1888 objection?

1889 Thank you so.

1890 We mailed out notice of this spicy chicken application on May 15th and Permian
1891 Resources received.

1892 The letter on May 20th, the division has published this case in two different dockets,
1893 one on.

1894 5-7 and again on 6/17. And we even discussed this case at the June 4th status
1895 conference docket, where at that time Miss McLean brought up this case 26190 and I
1896 said at that docket that Permian resources could object to the case and.

1897 Instead, Permian Resources waited until the eve.

1898 Before the hearing to object to this case, Avant is ready to move forward on the spicy
1899 chicken cases, and this is further evidence of its willingness and desire to move

1900 forward. And the fact that Permian waited until 4:00 or 4:15 yesterday, the day before
1901 a hearing.

1902 To me is untimely given all of the notice that Permian Resources had and further
1903 shows how Avant is ready to move forward and Permian is not.

1904 Is this Spacey?

1905 I'll get to you in just a minute, Ms. McClean.

1906

1907 **JM Jaclyn M. McLean 1:28:35**

1908 Thank you.

1909 I'm sure you can see it by my facial expression.

1910

1911 **PH Pecos Hall 1:28:37**

1912 I I can see by your face you're raring to go.

1913 I have two questions, Miss Bennett.

1914 Is this case related to the contested cases?

1915 It's a.

1916 This is a pen case. OK, so the spicy chicken cases that were heard before the division
1917 were Avalon, Bone Spring and Wolfcamp. And in fact, at the last status conference on
1918 June fourth.

1919 Yourself? Asked Mister McClure.

1920 What he thought about the fact that we had a pending pen case and Mister McClure
1921 said, and I reread the verbatim transcript this morning and he said, and I'm
1922 paraphrasing here, that he didn't think that the pen case was necessarily related to
1923 the contestant hearings because Permian Res.

1924 Does not have a competing pen case, so.

1925 That's the they are related because it's part and parcel of Evans development plan
1926 and Avant has always intended to and does intend to drill.

1927 Penwells and then the other question I have for you, Miss Bennett, is, is there any
1928 support in the rules and the rules, I mean is nineteen fifteen for nmac. Is there any
1929 support in the rule that this is untimely?

1930 No, I didn't think there was, but I you know, the rules probably better than anyone.

1931 So that's why I asked Miss McClean.

1932

1933 **JM Jaclyn M. McLean 1:29:55**

1934 Yes. And I would just like to say that.

1935 At the status conference, as Miss Bennett mentioned, we brought up this case.
1936 And Miss Bennett represented that Yvonne would actually not be moving forward
1937 with it and that they were going to.
1938 Stay the case until the division entered the order, which I'm sure she read this
1939 morning in that verbatim transcript.
1940 And we were shocked to see that they had actually filed exhibits because it's the
1941 exact same acreage that.
1942 Is covered in the spicy chicken contested hearing and it's why I brought it up at the
1943 June Status Conference in this case because Permian Resources inquired if we
1944 should.
1945 Wait and actually put this case and address it in our closing brief.
1946 Brief because these pen cases were initially applied as Wolfcamp wells by Avant, they
1947 voluntarily dismissed those.
1948 Then they refiled these as pen cases, and they are part of their development plan.
1949 All of that acreage, of course being part of the broader contested hearing.
1950 As Miss Bennett agreed, there is no deadline for filing a.
1951 And she have appearance and objection to proceeding by affidavit.
1952 So I really think at this point it is the divisions.
1953 Within the divisions authority to decide you know what's going to happen with these.
1954 Obviously they cannot proceed by affidavit today because we have objected to them.
1955 I believe, as Miss Bennett had suggested last time, this should be stayed until a
1956 division until a ruling on the contested cases.
1957 Because there's not really anything that can be done with it at this point until it's
1958 decided who is going to be operator of this acreage.

1959

1960 **PH Pecos Hall 1:32:03**

1961 Thank you, miss McLean.
1962 I appreciate the context.
1963 Yes, of course.
1964 I'll come back to you just a moment, something that Miss McLain said. I have not
1965 reviewed the verbatim transcript, obviously, but you both have.
1966 And I don't care whether you said that you were not going to file it, and then you did
1967 file it or that you were going to stay it or whatever it means.
1968 I just have to go by the rules and the rules are very clear that a party can object
1969 whenever it wants to and we have to deal with that objection.

1970 In good faith, I don't find any bad faith from Miss McLean, even though it was last
 1971 minute.
 1972 I don't feel it was any bad faith from her.
 1973 I I I look at both of you equally.
 1974 I try to give everyone the benefit of the doubt unless they prove otherwise.
 1975 So what did you want to say, Miss Bennett?
 1976 I just wanted to clarify that I did review the verbatim transcript before I filed the
 1977 exhibits in this case and this morning again and I there's a back and forth where I did
 1978 say that Avant anticipated that Permian would object and if Permian objected, then
 1979 avant would stay.
 1980 The cases.
 1981 So it was a conditional agreement that we would seek to stay the case and I do agree
 1982 that there is that we should stay the case now that there has an objection has been
 1983 launched.
 1984 OK.
 1985 All right, Mr. McClure, do you have anything to say?
 1986 I mean, is it at all before I go to Mr. McClure? Miss Miss McLean? In that case, that
 1987 was not renoticed. And that will be dismissed without prejudice.
 1988 Have you decided if you were going to refile that case?
 1989
 1990 **JM Jaclyn M. McLean 1:33:40**
 1991 So we're gonna we I think that the confusion was.
 1992 In US needing to actually go through the process to refile an application and not just
 1993 re notice.
 1994
 1995 **PH Pecos Hall 1:33:53**
 1996 Mm-hmm.
 1997
 1998 **JM Jaclyn M. McLean 1:33:54**
 1999 The amended application we're going to address that in our closing brief and also we
 2000 would we if we if it was the divisions.
 2001
 2002 **PH Pecos Hall 1:34:01**
 2003 OK.

2004

2005 **JM Jaclyn M. McLean** 1:34:08

2006 Request.

2007 That we actually refile an application through the portal, all that get a new case
2008 number.

2009 We do not want you to dismiss our original application and we would ask that we
2010 proceed forward on that original smaller.

2011 Acreage spacing unit, but we will address the, I guess details about the notice.

2012 In our closing brief, and we will.

2013 Because I believe that.

2014 I think the confusion.

2015 Was in the notice and I don't.

2016 I don't think we need to get into.

2017 I see Miss Bennett shaking her head.

2018 I don't.

2019 I don't think she needs to go through her whole. This needs to be discussed, regular
2020 role.

2021 We've heard this.

2022 It's time for the closing briefs.

2023 That's why I had initially brought up this new application that they had filed at the
2024 Status conference.

2025 But.

2026 We do plan on addressing.

2027 That notice and and all the exhibits in our closing brief.

2028

2029 **PH Pecos Hall** 1:35:15

2030 OK. At the June 4 status conference.

2031 I don't know if you remember, but you said and I'm not looking at the verbatim
2032 transcript from my memory.

2033 You said, well, I think my client has a right to file another application.

2034 For whatever acreage it is that we were discussing, the acres that you actually wanted
2035 not noticed in the first initial?

2036 Case, did you not say that?

2037

2038 **JM Jaclyn M. McLean 1:35:46**

2039 I I did.

2040

2041 **PH Pecos Hall 1:35:46**

2042 OK.

2043

2044 **JM Jaclyn M. McLean 1:35:46**

2045 And we decided that we were not going to pursue that at this point.

2046

2047 **PH Pecos Hall 1:35:48**

2048 OK.

2049 That's fine.

2050 You don't have to tell me, OK?

2051 Very good.

2052 That's what I'm asking.

2053

2054 **JM Jaclyn M. McLean 1:35:53**

2055 It would get too confusing I think.

2056

2057 **PH Pecos Hall 1:35:56**

2058 OK.

2059 OK.

2060 That's what I'm asking you.

2061 I wanted to know if you were following through on what you said on June 4, so that

2062 we, Mr. McClure, and I would know what's coming.

2063

2064 **JM Jaclyn M. McLean 1:36:06**

2065 Yes, I understand.

2066

2067 **PH Pecos Hall 1:36:06**

2068 OK.

2069 Very good.

2070 So you're gonna be addressing and and miss. Miss Bennett will be addressing all of

2071 this in closing argument.

2072 That's great.
2073 We do have a page limit so.
2074
2075 **JM Jaclyn M. McLean 1:36:18**
2076 Yes.
2077
2078 **PH Pecos Hall 1:36:19**
2079 You had to, yes. Yeah, exactly.
2080
2081 **JM Jaclyn M. McLean 1:36:20**
2082 We're very aware we'll be very concisely addressing, which I think will be to your, you
2083 know, your approval.
2084
2085 **PH Pecos Hall 1:36:25**
2086 Right, I think so.
2087 I think so too.
2088 So M's Bennett, there's no need to respond to Miss McClure.
2089 McClain just said.
2090 Because I just asked her a question.
2091 I'm not going back and forth on this issue of whether or not her client is going to
2092 refile that application.
2093 So with that being said.
2094 Your case will now. Normally we would move your case to a status conference docket
2095 later this month.
2096 Is there any purpose for that or do you just want to?
2097 We can put a note in the in the system to say that this case is stayed.
2098 I'm not gonna issue an order staying it, but I'm letting you know if you want to.
2099 We won't hear it again on the status conference docket that you're nodding.
2100 Yes, go right ahead.
2101 Say whatever.
2102 Oh yes, I agree with the approach of making a notation in the case file.
2103 Else internally that the cases stayed pending the outcome of the competing cases,
2104 OK.
2105 Once now, that could mean several months cause Mister McClure and I could take
2106 several months to make a decision and issue an order.

2107 That order could be appealed.
2108 So this case could be stayed for quite some time. Yes. OK.
2109 All right. OK.
2110 So Freya, will you put a note in the system? This case will not be continued until.
2111 Miss Bennett decides to continue it.
2112 It's really up to her and her client on what to do.
2113 Yes, they will.
2114 Now, Miss McLean, you did enter a written objection, so we have it in our queue
2115 somewhere.

2116

2117  **Jaclyn M. McLean** 1:38:02

2118 Yes, we filed it yesterday around four PMI believe.

2119

2120  **Pecos Hall** 1:38:03

2121 Alright, OK, that's fine. That's your.

2122 That's your privilege to do so. All right.

2123 Very good.

2124 Is there anything else, Miss Bennett?

2125 No, thank you.

2126 All right.

2127 Thank you, miss Bennett.

2128 Thank you, miss McLean.

2129 Looks like looks like now we're going to matador production.

2130

2131  **Jaclyn M. McLean** 1:38:17

2132 Thank you.

2133

2134  **Pecos Hall** 1:38:21

2135 These are two six one nine, one nine, two and nine, three.

2136 Good morning, Mr. hearing examiner Paula Vance with the Santa Fe Office of Holland
2137 and Hart, on behalf of the applicant, MRC Permian Company.

2138

2139  **McClure, Dean, EMNRD** 1:38:25

2140 Comp.

2141

2142 **PH Pecos Hall** 1:38:33

2143 And I believe there is one other party.

2144 Good morning. Deena Bennett. On behalf of Yvonne, operating to and we're just

2145 monitoring the cases very good. And so in these cases, I I sort of already prompted

2146 you with this, but we'd like to go ahead and continue to the August docket. We need

2147 to make some UPD.

2148 To the land exhibits and actually our land man is not available today for.

2149 For.

2150 An unavoidable.

2151 Personal conflict anyway, so we'd feel more comfortable just going ahead and

2152 continuing the cases.

2153 So these cases were they originally on the early June and were they?

2154 Yes, they were OK.

2155 So we really need to get these heard at the beginning of the August 6 docket, correct

2156 August 6.

2157 Freya, will you put a note in the system to make sure that these are heard toward the

2158 beginning of the August 6 hearing by affidavit docket?

2159 Yes, I will. All right.

2160 Thank you.

2161 So that continuance so you haven't actually filed a continuance yet, have you?

2162 No, we'll go ahead and file that today and then we'll plan on filing our revised

2163 hearing packets down the road and your and your pre hearing statement. We filed a

2164 pre hearing statement.

2165 I don't think we need to change anything in there.

2166 It's just the hearing packets.

2167 All right, perfect.

2168 And we'll do a cover page.

2169 Very good. We're in.

2170 We're in recess on those cases.

2171 I want to recall Miss Bennett's case, the one that we just heard.

2172 A moment ago.

2173 Mr. McClure wants to address something about the CPAC.

2174 OK.

2175 Thank you.

2176

2177  **McClure, Dean, EMNRD** 1:40:11

2178 Thank you, Mr. Examiner, Miss Bennett.

2179 I'm looking at your C pack on Page 3 of 83.

2180

2181  **Pecos Hall** 1:40:16

2182 Yes.

2183

2184  **McClure, Dean, EMNRD** 1:40:18

2185 And you see the box listed for pulling this vertical extent.

2186

2187  **Pecos Hall** 1:40:21

2188 Yes.

2189

2190  **McClure, Dean, EMNRD** 1:40:23

2191 We need to address that if we can change that.

2192 In the past I provided guidance that Upper Pen is fine, but we probably should be
2193 more specific 'cause. I know there's some.

2194 Question about that.

2195 So if we could change that to Cisco Canyon, I guess.

2196

2197  **Pecos Hall** 1:40:40

2198 Thank you.

2199 Yeah, I was wondering about that with the pool code. If I should be more in line with
2200 the pool code.

2201 So thank you very much for that guidance.

2202

2203  **McClure, Dean, EMNRD** 1:40:47

2204 Yeah. Thank.

2205 Thank you, miss Bennett.

2206 Thank you. Miss Harrington was the only thing I had for that case.

2207

2208  **Pecos Hall** 1:40:52

2209 All right. We're in recess on that case.

2210 OK, as I remember the first two cases to recall are Permian Resources.

2211 Is that correct?

2212

2213  **Jaclyn M. McLean** 1:41:00

2214 That's correct.

2215 It's number four and five on the worksheet.

2216

2217  **Pecos Hall** 1:41:04

2218 Thank you.

2219 So I'm gonna recall 26107 and 108, Miss McLean.

2220

2221  **Jaclyn M. McLean** 1:41:10

2222 Uh yes, Jackie McLean, on behalf of Permian Resources.

2223 And we did have the New Bern and MRC entries from Holland and Hart as well.

2224

2225  **Pecos Hall** 1:41:24

2226 Right. I'm just recalling the case. We did the entries of appearance earlier, didn't we?

2227

2228  **Jaclyn M. McLean** 1:41:27

2229 Oh, OK. I didn't know if you wanted that again. And so are we ready to proceed then
2230 to Mr. McClure?

2231

2232  **Pecos Hall** 1:41:28

2233 Yeah, we don't need to do it.

2234 No, not no ma'am.

2235 I don't know.

2236

2237  **Jaclyn M. McLean** 1:41:34

2238 Good with that.

2239

2240  **Pecos Hall** 1:41:35

2241 We're going to find out, Mr. McClure.

2242

2243  **McClure, Dean, EMNRD** 1:41:38

2244 Mr. hen.

2245 Examiner I I mean I've not reviewed the the amended exhibit packet. Since you know
2246 an hour or two ago.

2247

2248  **Pecos Hall** 1:41:46

2249 OK, miss.

2250

2251  **McClure, Dean, EMNRD** 1:41:47

2252 Maybe they could walk us through what the changes. I guess if you want to hear it
2253 right now, but.

2254

2255  **Pecos Hall** 1:41:49

2256 I don't think there is much sounds good.

2257

2258  **Jaclyn M. McLean** 1:41:51

2259 Yeah, I'm happy to do that.

2260 It's that, and it's the original exhibit packet that Mister McClure has already.

2261 Reviewed and then the only changes that we have and we noted this on our on a
2262 cover sheet that we filed with the amended exhibit packet.

2263 We just, I guess, unhighlighted.

2264 I would say Mubar and its associated entities.

2265 As parties that we were pooling.

2266 And so now the only two parties that we are pooling our MRC and I'm trying to get
2267 his name, there's an individual.

2268 And I'm just blinking on his name right now.

2269

2270  **McClure, Dean, EMNRD** 1:42:38

2271 Timpanthi McDonald.

2272

2273  **Jaclyn M. McLean** 1:42:39

2274 Yes, yes, Timothy McDonald.

2275

2276  **McClure, Dean, EMNRD** 1:42:40

2277 Something like that.

2278

2279  **Jaclyn M. McLean** 1:42:41

2280 Yeah. So there's only those at this point.
2281 Those are the only two MRC Hot Mesa and Timothy McDonald are the only two
2282 parties that are being pulled.
2283 So they were unhighlighted on the mubar entities, were unhighlighted on exhibit A3,
2284 and then.
2285 Nothing else has changed at this point.

2286

2287  **McClure, Dean, EMNRD** 1:43:05

2288 Mr. Herring, examiner, I I see what changes she's made and that has not changed. My
2289 recommendation.

2290 I believe we can take the cases under advisement.

2291

2292  **Jaclyn M. McLean** 1:43:14

2293 Great.

2294

2295  **Pecos Hall** 1:43:14

2296 All right. Very good, miss McLean.

2297 Thank you.

2298 We will take these two cases under advisement.

2299

2300  **Jaclyn M. McLean** 1:43:17

2301 Thank you so much.

2302

2303  **Pecos Hall** 1:43:19

2304 All right, now I'm looking to the parties for some guidance.

2305 What is the next case that needs to be recalled?

2306 Oxy gold log.

2307 IE and this is case 26143 number seven on the docket.

2308 Paul Evans with the Santa Fe Office of Holland and Heart on behalf of the applicant,
2309 OXY USA Inc.

2310 We already have the injuries of appearance, so why were we coming back on this
2311 case?

2312 I believe that Mister McClure had a question for our geologist, and I believe I saw
2313 one of Oxy's geologists on here there, Jared Rowntree, OK.

2314 Very good.

2315 Let's get Mr. Rowntree on the screen. I see you.

2316 Would you raise your right hand?

2317 You swear affirm under penalty of perjury, the testimony about to give is the truth,
2318 the whole truth, nothing but the truth.

2319

2320  **Rountree, Jared K** 1:44:06

2321 Yes.

2322

2323  **Pecos Hall** 1:44:06

2324 Thank you.

2325 You can lower your hand.

2326 Would you please spell your name?

2327

2328  **Rountree, Jared K** 1:44:10

2329 Jared, last name ROUNTREE.

2330

2331  **Pecos Hall** 1:44:16

2332 Have you been accepted as an expert by this division?

2333

2334  **Rountree, Jared K** 1:44:19

2335 Yes, I have geology.

2336

2337  **Pecos Hall** 1:44:20

2338 In wet field.

2339 Please, Mr. McClure, go ahead.

2340

2341  **McClure, Dean, EMNRD** 1:44:25

2342 Thank you, Mr. Herring examiner.

2343 Mr. Roundtree, is it?

2344 Would it be accurate to say that all the wells completed in this unit is done above the
2345 base of the wolf Campe?

2346

2347  **Rountree, Jared K** 1:44:38

2348 Yes, above the base of the wolf, Campbell.

2349

2350  **McClure, Dean, EMNRD** 1:44:40

2351 OK.

2352 Thank you, Mr. Roundtree. Mr. Hingham, I will have questions for the land man as

2353 well, but that was it for the geologist.

2354

2355  **Pecos Hall** 1:44:46

2356 OK.

2357 Thank you, Mr. Roundtree.

2358 Can we bring your land person back?

2359 Yes, there she is, Miss Mcdon.

2360 OK, there we go.

2361 You're still Underoath, miss McDowell.

2362 Go right ahead, Mr. McClure.

2363

2364  **McClure, Dean, EMNRD** 1:44:59

2365 Thank you, Mr. Herring. Examiner, miss mcnown.

2366 I'm looking at your, I guess I don't have a page number.

2367 That's because it's not in here, I guess.

2368 Miss mcdon.

2369 Are you familiar with?

2370 The working interest in the east half of Section 8 and the northeast quarter of section

2371 17. I believe it's directly to the West of this unit.

2372

2373  **McDown, Rachel** 1:45:34

2374 Off the top of my head I am I'm not.

2375

2376  **McClure, Dean, EMNRD** 1:45:37

2377 Are you familiar with the administrative NSP application that?

2378 Oxy submitted for this case.

2379 Or for this unit.

2380

2381  **McDown, Rachel** 1:45:47

2382 Two years ago.

2383

2384  **McClure, Dean, EMNRD** 1:45:52

2385 Oxy submitted a administrative application.

2386 I believe it was in February of this year.

2387

2388  **McDown, Rachel** 1:45:58

2389 OK.

2390

2391  **McClure, Dean, EMNRD** 1:45:58

2392 That's in reference to this unit. Are you familiar with that application?

2393

2394  **McDown, Rachel** 1:46:03

2395 Yes.

2396

2397  **McClure, Dean, EMNRD** 1:46:05

2398 OK, now within that application.

2399 There is.

2400 A track that is identified Oxy as the operator for that track, and that track would be.

2401 The.

2402 East.

2403 Half of Section 8 in the northeast quarter of Section 17 in this same Township, 22 S

2404 range 32 E.

2405 Does that sound correct to you?

2406

2407  **McDown, Rachel** 1:46:32

2408 Yes.

2409

2410  **McClure, Dean, EMNRD** 1:46:34

2411 Do you know who the working interest owners are in that track?

2412

2413  **McDown, Rachel** 1:46:39

2414 Off the top of my head, I do not.

2415 I would need to can look at that again.

2416

2417  **McClure, Dean, EMNRD** 1:46:46

2418 Hey, what is?
2419 What is Oxy requesting that the division do with the NSP component of this of order
2420 number R 22683?
2421
2422  **McDown, Rachel** 1:47:00
2423 To amend the pool code.
2424
2425  **McClure, Dean, EMNRD** 1:47:03
2426 Of the NSP portion of it.
2427
2428  **McDown, Rachel** 1:47:07
2429 Yes, I believe so, yes.
2430
2431  **McClure, Dean, EMNRD** 1:47:11
2432 Was notice of the NSP provided in this application.
2433
2434  **McDown, Rachel** 1:47:17
2435 Yes.
2436
2437  **McClure, Dean, EMNRD** 1:47:20
2438 They notice that that NSP would require.
2439 What we were just discussing this track that is operated by Oxy, do you understand?
2440 What I'm referring to, I mean, is what I'm trying to say.
2441
2442  **McDown, Rachel** 1:47:34
2443 Can you repeat that?
2444
2445  **McClure, Dean, EMNRD** 1:47:35
2446 Yes, the notification of the NSP when you're enlarging a Hsu is to notify all the
2447 operators in the surrounding tracks or if there is no operator or if the operator is the
2448 same as the applicant, then the working interest needs to be provided.
2449
2450  **McDown, Rachel** 1:47:47
2451 Yes.

2452

2453  **McClure, Dean, EMNRD** 1:47:54

2454 Notice I'm trying to figure out if that was done here.

2455

2456  **McDown, Rachel** 1:47:55

2457 Correct.

2458 I believe so, yes.

2459

2460  **McClure, Dean, EMNRD** 1:48:00

2461 Is there any exhibits that was provided to that effect?

2462

2463  **McDown, Rachel** 1:48:06

2464 I would need to defer to Paulo on that.

2465

2466  **McClure, Dean, EMNRD** 1:48:12

2467 And I think we'll need to touch base with Miss Vance and see what the applicant
2468 wants to do here, I guess, but.

2469 Who? Which interest owners are still being pulled under this unit?

2470

2471  **McDown, Rachel** 1:48:31

2472 I believe I would need to check.

2473

2474  **McClure, Dean, EMNRD** 1:48:35

2475 Well, to give you some context, I guess the reason I'm asking is the original
2476 application there was notice provided to a significant number more people than
2477 were provided notice of this application.

2478 My assumption is maybe those other people voluntarily joined, but I need
2479 confirmation of that.

2480

2481  **McDown, Rachel** 1:48:55

2482 Yes.

2483 Yes, under JOI, yes.

2484

2485  **McClure, Dean, EMNRD** 1:48:59

2486 OK.

2487 So then who is currently being pulled under this unit?

2488

2489  **McDown, Rachel** 1:49:05

2490 I would have to go back and double check that.

2491

2492  **McClure, Dean, EMNRD** 1:49:05

2493 We could.

2494

2495  **McDown, Rachel** 1:49:07

2496 I'm sorry.

2497

2498  **McClure, Dean, EMNRD** 1:49:16

2499 Oh yeah, thank thank you, Miss McDowell.

2500 Mr. Herring, examiner, if I could ask Miss Vance a few questions, I guess.

2501

2502  **Pecos Hall** 1:49:33

2503 Did you get the answers you needed from Miss McDowell?

2504 I thought she said she had to go back and check and wasn't able to answer.

2505

2506  **McClure, Dean, EMNRD** 1:49:40

2507 Yeah, I'm going. Well, yeah. I mean, we need to have confirmation of that.

2508 But I also need to know.

2509 What the applicant is even asking for here because it is a little bit of conflicting
2510 information, I guess in their exhibit.

2511

2512  **Pecos Hall** 1:49:53

2513 OK.

2514 So you want to ask Ms. Vance.

2515

2516  **McClure, Dean, EMNRD** 1:49:58

2517 That's correct, Mr. Herring. Examiner.

2518

2519  **Pecos Hall** 1:50:00

2520 OK, Miss Vance, are you able to answer Mr. McClure?
2521 I I'm happy to answer any questions that I am able to, Mr. McClory. Go ahead.

2522

2523  **McClure, Dean, EMNRD** 1:50:11

2524 I think Mr. Hen Examiner, Miss Vance, I'm trying to figure out what the applicant
2525 wants to do with the NSP portion of the original order.

2526 Do you know what the thought process is here?

2527 Of what?

2528 Their what they're requesting.

2529

2530  **Pecos Hall** 1:50:25

2531 So we are going off of guidance that was provided to the division that we needed to
2532 come that Oxy did not that Oxy need to come back to hearing to reopen this case
2533 and include the correct pool.

2534 A Denver pool was provided.

2535 A couple of years ago, when they went forward with this case and to my knowledge
2536 the NSP and the pooling was approved.

2537 But when Oxy went to, they're getting ready, you know, getting this development
2538 ready, and they're going through their permitting.

2539 They were informed that it is a different pool.

2540 That is, that is.

2541 Assigned to these wells. And so, you know, initially we had filed and I'll pull it up.

2542 If you'll just give me one moment.

2543 Oh, actually, sorry. Just one moment.

2544

2545  **McClure, Dean, EMNRD** 1:51:31

2546 Yeah, I know.

2547 The application seems to, I mean it outright says that all of the provisions of the
2548 order Oxy wishes to remain in full effect, I guess.

2549

2550  **Pecos Hall** 1:51:42

2551 So so.

2552

2553  **McClure, Dean, EMNRD** 1:51:42

2554 And that would include the NSP.

2555

2556  **Pecos Hall** 1:51:45

2557 So I put this in the original.

2558 We filed this in the original case case number 23428.

2559 And again, in that case, Oxy went forward with pooling and a request for a non
2560 standard spacing unit. All of the required notice was completed and perfected and
2561 both the pooling and the NSP were approved.

2562 Again, you know couple years down the road when they're getting ready to do the
2563 development.

2564 They're submitting permitting for this. They were informed that the pool code that
2565 was included on their C1O2's and their permitting paperwork, that it's the wrong
2566 pool. And so, you know, initially I made this filing of a notice of administrative
2567 application.

2568 Into that original case file, noting that not only well noting that Oxy was going to file
2569 separately for a new NSP, which I think you you.

2570 Referred to, they have filed an administrative application for an NSP using the correct
2571 pool code and pool name.

2572 But that they wanted to notify that the pool code that was included on the CPAC in
2573 that case was incorrect.

2574 That they'd been provided this new this new pool name and code, and so I just did
2575 an administrative filing.

2576 For this or just did a filing under the original case, but then we were informed by the
2577 division that we needed to come back to hearing to have the correct pool included
2578 on the CPAC. So there's no request for an NSP. Oxy has filed a separate
2579 administrative applic.

2580 That's my understanding and I think that that's what you were referring to.

2581 That they filed a separate administrative application for the NSP with the correct.

2582 Full name and pool code, but we're just here to according to the division, updating
2583 the pool name and code on the CPAC.

2584 And and noting the correct vertical extent because it's a upper wolf camp pool.

2585

2586  **McClure, Dean, EMNRD** 1:53:57

2587 Yeah.

2588 Yeah, miss. Miss Vance, I was gonna say in your in the land man statement, she does
2589 state that they're seeking administrative approval.

2590 The NSP.
2591 But I guess what my question I'm trying to figure out is within the application Oxy's
2592 requesting that all other provisions of the order stay in effect.
2593 And we can't issue an administrative order.
2594 If it is associated with this hearing order already, do you see what I'm saying?
2595

2596  **Pecos Hall** 1:54:32
2597 No. Can you repeat that?

2598
2599  **McClure, Dean, EMNRD** 1:54:35

2600 OK, there is an NSP approved within the order of R 22683 which is for the incorrect
2601 pool that needs to be addressed.
2602 The clean path and the path that the division may just tell you. We need to go down
2603 and that is to correct the NSP portion of this hearing order as well.
2604 My concern is that it doesn't seem as notice was provided, or at least there is no
2605 exhibits that provides notice.
2606 In regards to NSP.
2607

2608  **Pecos Hall** 1:55:08
2609 So I don't think that we would need to provide notice because we're not here getting
2610 approval for an NSP.
2611 It's simply to update the CPAC, and if anything, I think we could dismiss.
2612 The NSP portion, or take it out of the of the CPAC, if that would eliminate any
2613 confusion?
2614 Because again, to my knowledge, and I would, you know, happy to have Miss
2615 McDowell come up.
2616 I'm double checking, but I believe that a separate administrative application was,
2617 yeah, actually we filed it.
2618 I'm sorry my colleague who's now out.
2619 On Miss, Miss Starnes.
2620 Put this together, but there was an administrative application filed for the.
2621 For the NSP portion.
2622 So you know, I think maybe what we could do and I would request so we can
2623 continue forward is I could provide a updated CPAC that removes the NSP request.
2624 Or any reference to it in the CPAC because it has been filed separately through the

2625 administrative process and then just confirm with Miss McDowell on the notice, but I
2626 believe.

2627 That, and if the division would like, we can file an updated pooling exhibit that
2628 confirms which parties are still pooled under the pooling order.

2629 So just basically separate out and drop the NSP portion of the the previous order
2630 that existed.

2631

2632  **McClure, Dean, EMNRD** 1:56:46

2633 And M's Vance, I guess. How would you propose to deal with the?

2634 I guess I don't want to say overlap, but the once an order is issued here which needs
2635 to take place prior to an admin order. I mean you no longer.

2636 They were ought to no longer have NSP approval.

2637 Are they going to cease production from these wells in that event?

2638

2639  **Pecos Hall** 1:57:08

2640 No. What I you know, I I would just ask that you know I can monitor the
2641 administrative application which was filed, I mean it's ripe for an order as is because
2642 it was filed on February 13th, 2026.

2643 So it's ripe for an order.

2644 So if I could reach out to the technical examiner, Mr.

2645 Leonard Leonard Lowe.

2646 Sorry, I dropped his last name.

2647 I'm just used to calling, calling him Leonard.

2648 I could reach out to Mr. Lowe and see what the status is on that NSP approval.

2649 Hopefully it would be approved timely and then I could coordinate with you to just
2650 request that a new order pooling order be issued with the you know the with the
2651 updated CPAC that drops all of the reference to the NSP.

2652

2653  **McClure, Dean, EMNRD** 1:58:02

2654 And M's Vance, how would you deal with the possibility that notice is not sufficient
2655 for that admin application?

2656

2657  **Pecos Hall** 1:58:10

2658 I no, I I I know that that one I I I would.

2659 I am happy to review that NSP application, but to my knowledge and I I assisted Miss

2660 Stearns putting that together that the correct notice was completed for that.
2661 As you noted, when you're doing an enlarged spacing unit, it requires notice.
2662 This to all of the exterior tracks or offsetting operators.
2663 And I'm happy.
2664 I can very quickly pull up the application that was filed if you give me just one
2665 moment.

2666

2667  **McClure, Dean, EMNRD** 1:58:51

2668 Mr. Hearing examiner, would it be appropriate for us to touch base real fast?

2669

2670  **Pecos Hall** 1:58:56

2671 Touch base with what?

2672

2673  **McClure, Dean, EMNRD** 1:58:58

2674 Take a recess from the hearing.

2675 And then call separately.

2676

2677  **Pecos Hall** 1:59:01

2678 Oh, oh, that's what you mean. Sure. Of course it would be.

2679

2680  **McClure, Dean, EMNRD** 1:59:03

2681 Yeah.

2682

2683  **Pecos Hall** 1:59:03

2684 This is a great time for a 5 minute break, sure.

2685 Thank you.

2686 We're off the record.

2687

2688  **McClure, Dean, EMNRD** 1:59:09

2689 Thank you, Mr.

2690

2691  **Pecos Hall** 2:13:10

2692 Yeah, well, actually part of my thoughts made shoes there.

2693 Which is weird.

2694 That was on my phone 14 but.

2695 Scholarships are yes, and I think there is at least one other case to call after this one
2696 isn't there that we got off of.

2697 I don't mean yours.

2698 I mean any case.

2699

2700 **KL Kaitlyn Luck** 2:15:03

2701 Yes, Mr. Herring Examiner Caitlin luck for avant in 26144.

2702 I'd just like to return to the record on that case.

2703

2704 **PH Pecos Hall** 2:15:08

2705 Sure. Hold on one SEC.

2706 We're gonna finish this other matter, but I thought.

2707 I thought that we.

2708 OK.

2709 Well, first of all, first of all, 1027, we're back on the record and we are discussing the

2710 Oxy case now, Miss Vance from my discussion with Mr. McClure.

2711 It seems like you have two routes that you can go.

2712 First of all, it seems like you can show us that notice was correct in this case for the

2713 NSP part of the application and then we can take the case under advisement.

2714 At least I think so.

2715 I'm not sure if Mr. McClure asked for some anything else in this case, but let's say he

2716 didn't. The other option that you have is to dismiss the NSP from this application and

2717 deal with it administratively.

2718 Obviously, you'll still have to have proper notice to do that, but that's up you.

2719 Do you know how you want to proceed?

2720 Yes, go ahead.

2721 So as I explained, we did file a separate administrative application.

2722 So we filed that and actually I sent a copy of the application to both you and Mr.

2723 McClure right now.

2724 Yes, you did something I should look at.

2725 Now you can look at it.

2726 I'll give you a moment. I'll stop.

2727 OK, now can you direct?

2728 Have your e-mail here.

2729 What is it that I'm gonna open it up?

2730 What it what do you want me to? Can you point me toward the the section you want
2731 me to look at?
2732 I mean, you can go to page 5 of 18 and then also you know beyond that you can go
2733 to the last page, which confirms the notice.
2734 So what?
2735 What I hold on Miss Vance.
2736 Sure. I'm at page five. OK, what am I looking at?
2737 So that is on to, you know, based off of what Mr. McClure was saying and his line of
2738 questioning with our land man, the required notice, which is the the blocks or the
2739 tracks or the operators surrounding.
2740 So that's just a visual representation of the notice that was completed. If you go to
2741 18, those parties were were noticed.
2742 So are you.
2743 Are you saying now?
2744 I'm not saying you didn't say it before, but are you?
2745 Are you reaffirming that notice was correct for the NSP notice was correct for the
2746 NSP and also and that's the separate administrative application?
2747 So the notice that we completed for this hearing went to those same parties, OK. So
2748 if you go, if you open up the hearing packet.
2749 And you go to exhibit.
2750 I get some D here.
2751 I'll give you the page.
2752 If you go to page 16 now I know Mr. McClure had pointed out.
2753 I'm not sure.
2754 I think he may have asked about the fact that this includes.
2755 The BLM in state Land Office, but we provided notice to them of the separately filed
2756 NSP. But the operators that you can look between.
2757 I mean, you know, those two hearing packets now I'm a little unsure of.
2758 Vision, energy and that might have been just taken a party that was notice.
2759 I would have to confer with my colleague or actually Miss McDowell. Do you?
2760 She may be able to speak about that particular party vision.
2761
2762 **MR McDowen, Rachel** 2:18:52
2763 Yes, they're subject to the order.

2764

2765 **PH Pecos Hall** 2:18:53

2766 OK.

2767 So there are pooled party.

2768

2769 **MR McDown, Rachel** 2:18:55

2770 That's correct.

2771

2772 **PH Pecos Hall** 2:18:56

2773 OK.

2774 So they're the one pulled party that's left.

2775 So we provided notice of this hearing to those offsets, the operators and then to the

2776 party, the one party that remains pooled under the order. Now again, I understand

2777 Mr. McClure was asking about the BLM and state Land Office.

2778 They were provided notice of the separately filed administrative application, so they

2779 are aware of the NSP.

2780 What I would ask is that because I I think.

2781 And you know what needs to happen is since we have filed the separate

2782 administrative application that the NSP portion of the existing pooling order is

2783 dropped.

2784 And So what I would suggest, or you know from from my end what I think would be

2785 the path forward is to drop that from the C pack.

2786 Provide a revised.

2787 Cpac, if Mr. McClure would like an updated pooling exhibit so that the division can

2788 issue an order with a updated CPAC with reference to the one remaining pooled

2789 party.

2790 Under the under the order that we provide an updated pooling exhibit. But other

2791 than that the the NSP portion should just be taken out of the order.

2792 Sorry.

2793 Used about something because I, Mr. McClure and I were discussing the fact that the

2794 NSP was filed with the initial application.

2795 Has that and you're talking about a separate NSP application administratively. Why

2796 are you talking?

2797 Why? Why? It seems confusing.

2798 To me, so I mean parties can file an NSP separately or they can go through hearing

2799 at the time this was originally heard, Oxy did both their pooling and the NSP got
2800 approval of that NSP.
2801 But now that this issue has come up.
2802 A just for expedience, I see separate administrative application was filed.
2803 It is ripe for an order. Again, I think Mr. McClure was discussing. You know, there
2804 might be a possible concern about if I issue an order in this and you haven't gotten
2805 an order for the NSP over here. There's going to be a gap in your approval, so.
2806 Again, what I would ask is I can reach out to the technical examiner, Mr. Lowe.
2807 See what the status is.
2808 I know he's pretty backed up, but see when an order might be issued.
2809 That would maintain that approval for the NSP.
2810 Before any order any, any updated order was issued in this case.
2811 That would have the updated CPAC that drops the NSP portion because at that point
2812 we we've got the separate administrative approval. Mr. McClure, does any of this
2813 help you?

2814

2815  **McClure, Dean, EMNRD** 2:21:58

2816 If.

2817 With additional questioning, I may be able to make, I may be able to work between
2818 with these two applications.

2819

2820  **Pecos Hall** 2:22:08

2821 OK, who do you want to question?

2822

2823  **McClure, Dean, EMNRD** 2:22:11

2824 The landmen.

2825

2826  **Pecos Hall** 2:22:12

2827 OK. Would you recall your Landman?

2828 Yes, Miss McDowell.

2829 Go right ahead, Mr. McClure.

2830

2831  **McClure, Dean, EMNRD** 2:22:20

2832 Thank you, Mr. Examiner.

2833 Miss McDowell, are you prepared to tell us who the working interest owners are in
2834 that offsetting track that's operated by Oxy?

2835

2836  **McDown, Rachel** 2:22:33

2837 Yes.

2838

2839  **McClure, Dean, EMNRD** 2:22:35

2840 And who are those working interest owners and specifically which track are you
2841 going to be referring to?

2842

2843  **McDown, Rachel** 2:22:42

2844 I'll start in sections 32 and five.

2845 Permian Resource Operating LLC.

2846 Section 33. To the north is New Bern oil company.

2847 Section 34 is Meburn oil company.

2848 Sections 3 and 10 is matador production company.

2849 Section 15 is Marathon Oil Permian LLC.

2850 Section 16 is EOG Resources Inc.

2851 And then sections 8 and 17 is OXY USA Inc.

2852

2853  **McClure, Dean, EMNRD** 2:23:20

2854 And Miss McDowell, who are the working interest owners in Section 8 and 17.

2855

2856  **McDown, Rachel** 2:23:24

2857 RC or sorry and it's very synthetics.

2858

2859  **McClure, Dean, EMNRD** 2:23:27

2860 Fox.

2861 OK, so you understand your understanding is I'm asking about the working interest
2862 owners and not the operator.

2863 Is that correct?

2864

2865  **McDown, Rachel** 2:23:37

2866 That's correct.

2867 We're both the operator and the working entry center in eight and 17.

2868

2869  **McClure, Dean, EMNRD** 2:23:42

2870 OK.

2871 So then Oxy USA Incorporated has 100% working interest in Section 8 and section
2872 17.

2873

2874  **McDown, Rachel** 2:23:51

2875 Between its various working or entities, yes.

2876

2877  **McClure, Dean, EMNRD** 2:23:56

2878 And by can you elaborate on that?

2879

2880  **McDown, Rachel** 2:24:00

2881 I would have to confirm that there's. I think there's three entities in sections 8 and 17
2882 of oxygen and Permian.

2883 I would have to confirm which Oxy entities are in that sections in those two sections.

2884

2885  **McClure, Dean, EMNRD** 2:24:18

2886 And if I if I were to ask for an amended exhibit packet that included that breakout,
2887 would you understand what I'm asking for?

2888

2889  **McDown, Rachel** 2:24:26

2890 Yes.

2891

2892  **McClure, Dean, EMNRD** 2:24:30

2893 Now Miss Vanson inferred that there's only one working interest still pulled under
2894 this order.

2895 Please confirm for me Miss McDowell. Who? The Who is all being pulled currently
2896 under that false rate pulling order?

2897

2898  **McDown, Rachel** 2:24:48

2899 That is Vision Energy Inc.

2900

2901  **McClure, Dean, EMNRD** 2:24:51

2902 Envision Energy Inc.

2903 Is the only energy being forced pulled under this compulsory pulling order? Is that
2904 correct?

2905

2906  **McDown, Rachel** 2:24:58

2907 That is correct, yes.

2908 The rest are subject to Ajay.

2909

2910  **McClure, Dean, EMNRD** 2:25:17

2911 OK, thank thank you M's McDowell, Mr. hearing examiner. If I can touch base with
2912 Miss Vance, real fast too.

2913

2914  **Pecos Hall** 2:25:23

2915 Please.

2916

2917  **McClure, Dean, EMNRD** 2:25:24

2918 Miss Vance, you understand what I would be looking for as far as.

2919 Well, let me back up.

2920 Since we're going to file a minute exhibit packet anyway and there seems to be a
2921 change in what is being asked for from the application because the application
2922 doesn't ask to vacate the NSP portion. If you were to put something in writing, what
2923 is your thought process in?

2924 Regards to submitting that.

2925

2926  **Pecos Hall** 2:25:55

2927 So I would what I would recommend is filing a a revised hearing packet that includes
2928 an updated C pack that drops reference to request of an NSP and just notes that it is
2929 filed that the request has been filed separately and then we can do an updated land.
2930 Man statement that includes a copy of the filed NSP.

2931 So that you have.

2932 So that it includes the the notice that has been completed for the the separately filed
2933 NSP portion and then per your request doing the breakout of sections 8 and 17 that
2934 you can see the different oxy entities that own there. And then lastly, we can provide
2935 an UPD.

2936 Pooling exhibit.

2937 That shows that there's only one remain pooled party here.

2938

2939  **McClure, Dean, EMNRD** 2:27:05

2940 And I'm just sitting here looking at the notice list between these two applications,
2941 and the only difference is the BLM.

2942 Is that correct, Miss Vance?

2943

2944  **Pecos Hall** 2:27:15

2945 BLM and State Land office.

2946

2947  **McClure, Dean, EMNRD** 2:27:17

2948 Well, the state Land office.

2949 Oh, I apologize.

2950

2951  **Pecos Hall** 2:27:20

2952 Yeah.

2953

2954  **McClure, Dean, EMNRD** 2:27:20

2955 That state land office is listed there, yeah.

2956 And that's quite they're the only difference in notification between the two cases.

2957 Is that correct, Miss pants?

2958

2959  **Pecos Hall** 2:27:30

2960 That's correct.

2961 But again, they did receive notice of the separately filed NSP application.

2962

2963  **McClure, Dean, EMNRD** 2:27:58

2964 Well, the, the other thing I'm thinking about is your CPAC correction that you've
2965 mentioned.

2966 That's the only thing I'm debating on, I guess.

2967

2968  **Pecos Hall** 2:28:10

2969 And I will say this is the older version that doesn't have the language of, you know,
2970 only include the pool name and pool code. If it's a request for an NSP.

2971 So I would also suggest we can put update using or file a revised CPAC using the
2972 newer version so that it makes sense that you know we're not requesting.

2973 The there's been there's no request for an NSP approval.
2974 Here or to maintain it under the the order because it's been applied for separately.
2975 And it would I another suggestion would also be to you know, I can note that in the
2976 special provisions and stipulations.
2977 On the CPAC?

2978

2979  **McClure, Dean, EMNRD** 2:29:02

2980 Well, I guess my concern here is.
2981 In order to issue that admin application in order on it, the testimony that you just
2982 provide that Miss McDowell provided in regards to that working interest owners is
2983 going to be requirement for that admin order.
2984 But I'm half debating on is maybe if we have some sort of hybrid order that issues
2985 based off the administrative application and the hearing order both and in that
2986 instance, I think the CPAC should probably remain essentially how you have it here.
2987 I guess.
2988 Do you have any thoughts towards what I just said, Miss Vance?

2989

2990  **Pecos Hall** 2:29:40

2991 I mean, correct me if I want to make sure that I'm following what you're saying.
2992 Is that basically because we have filed the separate administrative application that
2993 you would?
2994 That you would just be issuing one order to address both. Why we're here at hearing
2995 and also the separately filed administrative application, so that we have approval of
2996 the NSP.
2997 Per the the request of the separately filed NSP, correct.
2998 So just basically one order, we're back to one order rather than the separately filed
2999 administrative application being issued in order.

3000

3001  **McClure, Dean, EMNRD** 2:30:14

3002 Yeah, I want to I.
3003 Yeah, they'll say.
3004 That's kind of hybrid route which I didn't discuss with our hearing examiner quite yet.
3005 So I'd get his input on it.
3006 But yeah, essentially that's what I would be suggesting is that there would be a
3007 hearing order that has the number on the same order would be have the hearing

3008 order number, R blah blah dash A. And in addition to that, it would also be
3009 considered NSP Dash 20.
3010 370 or whatever it was in this case.

3011

3012  **Pecos Hall** 2:30:50

3013 I mean if that if that streamlines the process for the division and saves on time for for
3014 everyone and that's the preference that would be fine again.
3015 I can file the a copy of the NSP application with with our revised hearing packet.
3016 So you have all of the information there.

3017

3018  **McClure, Dean, EMNRD** 2:31:15

3019 Yeah, you mean put the administrative application into the case files that you're
3020 referring to, Ms. Vance.

3021

3022  **Pecos Hall** 2:31:20

3023 Or I can file it as a part as a sub exhibit as a part of the revised hearing packet that
3024 we're going to file.

3025

3026  **McClure, Dean, EMNRD** 2:31:27

3027 Now say that may be our best route there.

3028 Mr. herring examiner.

3029 Does all this make sense to you?

3030

3031  **Pecos Hall** 2:31:37

3032 Just barely, but it does sound, but it does sound like what you've arrived at is a
3033 compromise between two separate procedures and and something more fluid and
3034 and combined.

3035

3036  **McClure, Dean, EMNRD** 2:31:39

3037 Well, OK.

3038 OK. With that in mind, M's fans.

3039 Yeah. If we could get that filed.

3040 And is that something you'd be able to provide by the end of the day?

3041

3042  **Pecos Hall** 2:32:02

3043 Yes, absolutely, yeah.

3044

3045  **McClure, Dean, EMNRD** 2:32:03

3046 Did you have any questions about the CPAC?

3047 My thought process would be to leave it as you currently have it amended.

3048

3049  **Pecos Hall** 2:32:09

3050 I think if we're going to take this route of doing a hybrid and compromise, we'll just,

3051 yeah, we'll keep it as is.

3052 That makes sense to me.

3053

3054  **McClure, Dean, EMNRD** 2:32:17

3055 OK.

3056 So then what you're providing to us would be a supplemental exhibit that includes
3057 the administrative application?

3058 And then also.

3059 You were gonna include another supplemental exhibit in regards to the currently
3060 pooled parties.

3061

3062  **Pecos Hall** 2:32:35

3063 Yes. So I I was going to do a revised land man statement and just include an updated
3064 pooling exhibit that lists the one pooled party that remains under pooled under the
3065 order.

3066 And then again, per your request and we can put it on the.

3067 We can put it on the the breakout from the separate.

3068 Filed NSP application. The break out of the Oxy ownership in those two sections that
3069 you were discussing.

3070

3071  **McClure, Dean, EMNRD** 2:33:08

3072 Yeah, we have it verbally, but it'd be nice to have it in written too if we're going to
3073 submit anyway. So I guess I'm on board of that, Miss Vance.

3074 And you think you can get all this submitted to us by the end of the day, Miss Vance?

3075

3076  **Pecos Hall** 2:33:17

3077 Yes, it's 1045 right now.

3078

3079  **McClure, Dean, EMNRD** 2:33:19

3080 But.

3081

3082  **Pecos Hall** 2:33:20

3083 I will get it done.

3084

3085  **McClure, Dean, EMNRD** 2:33:22

3086 Mr. Herring, examiner I.

3087 I didn't have anything further on this case.

3088

3089  **Pecos Hall** 2:33:26

3090 So can we?

3091 So we're gonna leave the record open till 5:00 PM. And at that time, if Miss Vance
3092 follows through with her commitment, we'll take it under advisement, OK?

3093

3094  **McClure, Dean, EMNRD** 2:33:36

3095 I'm in agreement with that Mister hearing examiner.

3096

3097  **Pecos Hall** 2:33:39

3098 OK, then that's what we'll do.

3099 Thank you so much.

3100 Appreciate it.

3101 I'm glad we came to a resolution now.

3102 Do the parties have any other cases that we were not able to?

3103 I know Miss Luck is here.

3104 Are there any other cases besides Miss Lux that we need to return to because we just
3105 were not able to review the information or I'm not hearing anything from anyone
3106 else?

3107 All right, miss luck.

3108 Go ahead.

3109

3110  **Kaitlyn Luck** 2:34:05

3111 Thank you for returning to this case, Mr. Herring Examiner.

3112 Sorry, that was an unexpected issue that arose with Kotera.

3113 And so we were discussing the options. And so at this point in time, I would like to
3114 request that the case be continued to the July 9th hearing.

3115 We're requesting a waiver from Kotera given the fact they're an offsetting operator
3116 to the non standard unit and we do think that we may be able to get a written waiver
3117 from them for the notice so that we don't require a full 20 days notice before the
3118 continu.

3119 Hearing so with respect to the amended exhibits, I can file those by the end of today.

3120 With respect to added CPAC revisions.

3121

3122  **Pecos Hall** 2:34:38

3123 So let me understand the argument. First of all, what case number is this M's luck?

3124

3125  **Kaitlyn Luck** 2:34:42

3126 26144.

3127

3128  **Pecos Hall** 2:34:44

3129 26144 OK. And you are suggesting that if you get a waiver from kotera, then you
3130 don't need to notice then your notices is perfected.

3131 Is that right?

3132

3133  **Kaitlyn Luck** 2:34:57

3134 Yes, Mr. Henning. Examiner.

3135

3136  **Pecos Hall** 2:34:58

3137 All right, Mr. McClure, do you have anything to say about that?

3138

3139  **McClure, Dean, EMNRD** 2:35:04

3140 Mr. Heng, examiner.

3141 No, I don't think I do.

3142

3143  **Pecos Hall** 2:35:09

3144 OK.

3145

3146  **McClure, Dean, EMNRD** 2:35:09

3147 I I don't.

3148

3149  **Pecos Hall** 2:35:10

3150 Alright and Miss Luck is that is there somewhere in the rules that allow that waiver?

3151

3152  **Kaitlyn Luck** 2:35:20

3153 No, but previously, as I've prepared administrative applications throughout my
3154 practice before the OCD, it's been common that offsetting parties have provided
3155 waivers of notice where there's been discussions of between parties.

3156

3157  **Pecos Hall** 2:35:36

3158 So it's been common.

3159 I've been here three years and no one's ever discussed the waiver with me before.

3160 That's why I'm asking the question.

3161 So you've identified. So Mr. McClure and and miss is there only one party that's in
3162 question at this time.

3163

3164  **Kaitlyn Luck** 2:35:57

3165 Yes, Mr. Examiner, it's koteria.

3166 And they were provided published notices reflected in Exhibit E, but unfortunately
3167 the mailed notice was not provided to coter, despite the fact we have their address.

3168

3169  **Pecos Hall** 2:36:06

3170 OK. And Mr. McClure, is that the only?

3171 Is that the only notice defect in this case?

3172

3173  **McClure, Dean, EMNRD** 2:36:14

3174 That's correct, Mr. Herring. Examiner.

3175 Also, if I may, I believe that rule does allow for waivers for NSPS.

3176

3177 **PH** **Pecos Hall** 2:36:24

3178 Alright, OK.

3179 Good. Do you have a a citation to the rule?

3180

3181  **McClure, Dean, EMNRD** 2:36:28

3182 I was. That's what I was. That's what I was looking at right now.

3183 Miss look might have it faster than I do, but I think it's in part 15.

3184

3185 **PH** **Pecos Hall** 2:36:33

3186 Miss luck with your.

3187 OK, Miss luck with your great experience. Do you wanna appoint me to the role that

3188 allows for waivers?

3189

3190 **KL** **Kaitlyn Luck** 2:36:43

3191 I should know that, but I'm sorry, Mr. Xamarin, I'll up the rules right now.

3192

3193 **PH** **Pecos Hall** 2:36:47

3194 Does anyone in the room I see Miss Bennett. Miss Bennett's microphone is on and it
3195 looks like she wants to be helpful.

3196 So tell us. Yes, thank you.

3197 It's rule 19151511.

3198 Thank you, B.

3199 Let me I have to get there first.

3200 So you're way ahead of me, now 19. And then you said 15. Then you said 15 again
3201 and then you said 11.

3202 So let me get there, 1915.

3203 15.

3204 19/15/15.

3205 And then you said 1111 B as in boy B as in boy non standard spacing units?

3206 Yes, let me look.

3207 And then it's subsection 4/4.

3208 Thank you very much.

3209 The applicant shall submit.

3210 At the very last line.

3211 Thank you. The director. The director may approve the application without hearing
3212 upon receipt of waivers from all notified persons. If no person has filed an objection
3213 with OK.

3214

3215 **KL Kaitlyn Luck** 2:37:39

3216 Miss Bennett.

3217

3218 **PH Pecos Hall** 2:37:50

3219 So, Mr. McClure, it looks like waivers have been contemplated by the rule here.

3220 So Miss Luck, you can file that.

3221 Waiver.

3222 With whatever else Mr. McClure asked, if he did ask for anything else, I'm not sure.

3223 And you can move this case to the July 7 docket if everything else has been filed

3224 appropriately.

3225

3226 **KL Kaitlyn Luck** 2:38:18

3227 I just want to clarify, is that miss Mr. Herring? Examiner is that July 7th or July 9th?

3228

3229 **PH Pecos Hall** 2:38:22

3230 I'm not sure miss Miss chance.

3231 The regular docket is July 9, July 9.

3232

3233 **KL Kaitlyn Luck** 2:38:30

3234 OK.

3235 Thank you.

3236

3237 **PH Pecos Hall** 2:38:31

3238 OK.

3239 Thank you for off the record in that case. Are there any other cases that need to be
3240 heard, Miss Bennett?

3241 No other cases, but if I could say a brief thing before we go off the record about
3242 what case about Mr. Bruce.

3243 Oh, about Mr. Bruce.

3244 Go right ahead.

3245 I just wanted to.

3246 I felt like it would be important to recognize his important contribution both to the
3247 oil and gas bar, but.
3248 To myself personally, and to say with great sadness how what a tremendous loss it's
3249 going to be for us here at the OCD and to recognize the invaluable work he did, both
3250 professionally and personally as mentors to so many of us. Thank you.
3251 Thank you, miss Bennett.
3252 I'm sure everyone feels similar.
3253 All right. We are off the record for today.
3254 Thank you everyone.
3255
3256● stopped transcription