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6 **OCD Regular Docket September 3, 2026-** 7 **20260903_140248UTC-Meeting Recording**

8 September 3, 2026, 2:02PM

9 3h 3m 22s



10 **Pecos Hall** 27:28

12 Good morning. It is 830 September 3rd. This is the regular first docket of the month
13 where we hear hearing by affidavits. We have a few other things on the
14 docket today. So let's start with two status conferences for FED operating. This is case
15 number 2613126132. Entries of appearance, please.

16 Good morning, Caitlin.

17 Good morning. Good morning, Mr. Hearing Examiner Paula Vance with the Santa Fe
18 office of Holland and Hart on behalf of Newburn Oil Company. And we entered an
19 appearance in Miss Luck's cases and objected to them. Thank you.

20 Good morning, Mr. Hearing, Examiner Jordan Kessler on behalf of EOG, and we're
21 just monitoring this case. Good morning. Good morning, Mr. Hearing, Examiner
22 Yadiza Pena on behalf of Permian Resources operating, just monitoring. Thank you.

23 Do we have anyone for J.R. Oil?

24 Ms. Luck, do you know if there's anyone representing J.R. Oil? It was my
25 understanding that Brad Cute Sayer, Mr. Sayer, was representing J.R. Oil, but I have
26 not spoken to him today. Do you know what his position is on the case? It was my
27 understanding previously. It was just an entry of appearance, no objection, but I
28 don't know if that position has changed. Okay.

29 And Mr. Padilla.

30 You have to unmute yourself.

31 Fred, do you think you know why we can't hear Mister Padilla?

32 He's not muted. I think it might be a setting on his computer. Okay.

33 Mister Padilla, I see you, but we can't hear you, so I know you're here. Did you object
34 to this case? Just nod or shake your head.

35 Oh, it looks like he objected also, Ms. Luck.

36 Yes, Mr. Hearing Examiner, and his client does have concerns with our case, and it's
37 my understanding he's aligned with Mewburn. And so I do think that Mr. Padilla has

38 information he would like to offer if we can figure out his settings. I don't know. Wait,
39 hear what? I'm sure he does have information to offer for the division regarding this
40 case. Today? Yes, sir. But we can't hear him. Yes, I'm sorry, if we could just give him a
41 moment or see if he can get connected.

42 Yeah, I don't think that's going to help. Mr. Padilla, do you want to call in? I think
43 there's a phone number for you to call, if you like. We can recess here. But Miss Luck,
44 are you ready for the hearing?

45 Mr. Hearing Examiner, at the last status conference, you issued a pre-hearing order
46 setting this case for a September 15th hearing, and my client, FED, has requested to
47 continue that hearing on 9-15 to a later date, and they've asked that I present those
48 positions today as to why FED would like a continuance to a later contested hearing
49 date.

50 given that competing applications with New Bern, and so I would like to present that
51 information. Given what? There are competing applications with New Bern. When
52 was your case filed? It's my, I think that they were filed earlier this year in March. I
53 would have to pull up the filing date. Okay, why don't you do that while we wait for
54 Mr. Padilla?

55 Miss Hardy.

56 Are you entering the appearance on this case?

57 There's a note here, Harding McLean representing Permian Resources. Miss Pena.

58 Thank you. Thank you. And, Mister, examiner, the filing date for my applications for
59 April 27th. That's cases 2613126132, but applications were just filed recently. OK.

60 Did I not know that when I set the hearing? It was my understanding, yes, that the
61 division did know that, but at that point in time, the parties had not presented all the
62 issues that are involved in these cases. For example, Mr. Padilla's client is aligned with
63 Newburn, and there's a letter of agreement regarding their interest ownership in this
64 acreage. And my client, FED, does believe that's relevant to this hearing because one
65 of the factors that's examined in this hearing is

66 ownership that is either controlled or operated by the applicant. And so it is relevant
67 as to what the letter agreement is between Rockwood and New Bern, and my client
68 would like to issue a subpoena to get that information prior to the hearing so that
69 we can all understand as to what the ownership interest is between the parties. Why
70 can't you ask those questions at the hearing? Those are questions that could be
71 asked at the hearing, but if the other side

72 provide those documents to us prior to the hearing, that would be helpful for us to

73 review to determine as to whether or not Mewburn or Rockwood will be the owner
74 of this acreage after a polling hearing occurs, because it's unclear at this point in time
75 Even though Rockwood assigned a large percentage of their interest to Newburn,
76 whether or not there is terms and provisions in the letter agreement requiring
77 Newburn to reassign the acreage back to Rockwood at the conclusion of this case.
78 Okay, and we're still waiting for Mr. Padilla. Miss Vance, what do you have? Okay, I
79 hear you, Mr. I hear you. Why don't you enter your appearance and give me your
80 position on the case?

81

82  **+15*****66** 32:40

83 Mr. Examiner, can you hear me now?

84 Ernest El Padilla or Rockwood Energy LP. The position that we have is that the same
85 position that we had with

86 Hunt Cimmerone, who I represented earlier and who sold out to Rockwood Energy.

87 Our objections are still the same as with regard to paperwork and efforts to join the
88 right and correct way.

89

90  **Pecos Hall** 33:27

91 Not sure I understand. What are you objecting to?

92

93  **+15*****66** 33:34

94 Lack of notice, lack of notice, a lack of proposals, timely proposals to

95

96  **Logan Cooksey** 33:44

97 Ohh.

98

99  **+15*****66** 33:47

100 To join parties that FED is trying to force boo.

101

102  **Pecos Hall** 33:58

103 So, Miss Luck, when were when did you give notice to Hunt Cimarron?

104 I would need to pull up my tracking information, but notice was provided to the

105 parties, I believe, back in June and July for both the, because this is a non-standard

106 unit, so notice was sent to the parties to be pulled in the unit as well as the offsetting

107 interest centers. I'm confused. You filed this case in April, you said, so why would you

108 be providing notice in June or July?
109 because of the timing of the contested hearing setting.
110 This is originally set for an August. Don't you have to provide notice to them when
111 you file your application? No, sir. The timing runs from 20 days prior to hearing. So
112 the notice provisions always run back from the date of the hearing, and this is set for
113 an August 25th hearing. Okay. And did you provide a proposal to Hunt Simon?
114 Yes, that would have been prior to filing the application, right? So...
115 Do you understand Mister Padilla to say that he didn't receive the proposal? I do
116 understand that he's raised that concern, but I do believe that we did provide proper
117 notice by a well proposal letter and notice of the application. And have you spoken
118 to Mister Padilla about this? Yes, I talked to Mister Padilla yesterday. OK.
119 So do you understand his objection in some other fashion besides notice?
120 No, I don't understand his objection differently. I just think that my client FED has
121 issues with Mewburn's applications and with the letter of agreement between
122 Mewburn and Brockwood, who was Mr. Padilla's client. And that's what we would like
123 to know about, buying through an OCD subpoena to find out exactly what the terms
124 are of the ownership interest between
125 Rockwood and Mewburn, and whether or not there's some provision that Rockwood
126 is going to receive interest back in this acreage after a polling hearing. And you were
127 saying that Mr. Padilla represents Rockwood? Yes, sir. I heard Hunt Cimarron. Mr.
128 Padilla, are you representing more than one entity?

129

130  **+15*****66** 36:00

131 No, no, Mr. Examiner, not anymore. The only entity that I'm representing is Lockwood
132 Energy, and they had the same objection as Hunt Simeron. Matter of fact, Hunt
133 Simeron found out about this application through a company named Fortress.
134 Energy or somebody, but our position is that FED did not contact properly either
135 Lockwood Energy now or Hunt similar on the floor.

136

137  **Pecos Hall** 36:40

138 And are you prepared to admit evidence to that effect at the hearing?

139

140  **+15*****66** 36:45

141 Yes.

142

143 **PH Pecos Hall** 36:46

144 OK, do you do you?

145

146 **+15*****66** 36:48

147 And I think we're working on settling this case. My understanding is Rockwood has
148 aligned itself with the Mewburn applications and is going to participate with
149 Mewburn, but that doesn't take care of FED for.

150

151 **PH Pecos Hall** 37:10

152 OK, and and did you hear what Miss Luck wanted from Rockwood earlier?

153

154 **+15*****66** 37:18

155 No, I didn't. I'm not sure.

156

157 **PH Pecos Hall** 37:19

158 Okay.

159 Ms. Luck, would you say that again?

160 So it's my client's understanding that Rockwood and Mewburn have a letter of
161 agreement where Rockwood sold 99 or a large portion of its interest in this acreage
162 to Mewburn. And then Mewburn was able to file the applications competing with
163 FEDs at that point in time. And there is some provision in the letter of agreement
164 between Mewburn and Rockwood
165 related to the ownership interest and how it will be transferred following the pooling
166 in this case. And so my client, FED, believes that it should be entitled to that
167 information and the division should know about what the ownership provisions are
168 between Rockwood and Mewburn in the competing applications against FED in
169 these cases. So Mr. Padilla, you heard that, right?

170

171 **+15*****66** 38:04

172 Yeah, I did.

173

174 **PH Pecos Hall** 38:05

175 No, I'm not. I'm not taking a position. Hold on, Mr. Padilla. I'm not taking a position
176 on whether or not.

177 FED is entitled to that letter. I'm not saying that they are or that they're not entitled
178 to it. But are you, first of all, is there a letter agreement?
179

180 **+15*****66** 38:26

181 You know, Mr. Examiner, I don't know if there's a letter of agreement. This is the first
182 time I've really heard about a letter of agreement. My client has informed me that
183 they're going to participate now. There are two different, there are two different
184 Rockwood Energy
185 land positions here. Lockwood originally had acreage in there when they bought out
186 the Hunt Cimarron acreage. I don't know whether that was included in the
187

188 **PH Pecos Hall** 38:48

189 Yeah.
190

191 **+15*****66** 39:08

192 letter of agreement or not.
193

194 **PH Pecos Hall** 39:14

195 Miss Vance.

196 Can you shine some light on this? I cannot. I'm not familiar with either the letter of
197 agreement that Miss Luck was referring to. All I can say is that my understanding is
198 Rockwood is supporting Mewburn. And I have been in discussion with my client, with
199 Miss Luck. I agree that I think we, Mewburn, felt
200 that a September 15th was a little premature for us just getting into the case because
201 Mewburn had just acquired this interest. I think we put that in our filing when we
202 filed to consolidate the cases. Our applications were filed August 4th, and we, again,
203 I've been going back and forth with Miss Luck, but I do believe we were
204 we're planning on possibly filing a joint motion to request a continuance to set it for
205 a August, or I'm sorry, an October 20th contested hearing. I know that that contested
206 hearing date is pretty full, but we were looking at that as a possibility of filing
207 something, whether or not it gets granted,
208 you know, that's obviously up to the discretion of the division. But again, Mewburn
209 just got acquired this interest, just filed its applications, and believe it might be a
210 little premature to do a contested hearing on September 15th. So when was
211 Newborn apprised of the FED proposal.

212 Mm.

213 It was not because Mewburn acquired its interest in, let me see, it looks like the end
214 of July. So they would not have received those proposals. So a lot of fast moving
215 parts here, they just acquired this interest.

216 So those conversations would have just started like last month since they just
217 acquired this interest.

218 And there was something else I was going to add there, and...

219 And I don't remember what it was, and I apologize. I'll have to look at the record, so
220 give me a minute. And Ms. Luck, back to that letter agreement, where did you get
221 your information that there was a letter agreement? From my client.

222 FED, it was our understanding that even though it might not be a recorded deed or
223 transfer of the interest, there was a letter of agreement as between Rockwood and
224 Newburn. And I do have the date of the wall proposal to Hunt Summer on, it was
225 November 19th of 25. Okay, wait. I wasn't, I'm not able to hear you, so hold on a
226 second.

227

228  **+15*****66** 41:59

229 Good.

230

231  **Pecos Hall** 42:09

232 Um...

233 just slow down a little bit so that the recording picks up everything you say. And the
234 question was, why do you believe that there is a letter of agreement when we've
235 heard from Mr. Padilla that he doesn't believe there is one? Miss Vance doesn't know
236 of 1. Why do you believe there is one? It was my understanding from Mr. Padilla that
237 he just did not know.

238 And it was...

239 My understanding from my client that the letter of agreement existed.

240 who advised me that there was a letter of agreement between New Bern and
241 Rockwood, and that's why we're requesting a CFP to be issued by the OCD to the
242 parties. Sure, and I don't know that I have a, you know, I don't know that I have the
243 authority to
244 divulge that record agreement through a subpoena. I don't know the answer to that,
245 so I haven't even done research about that. But first I want to look here at this case
246 and see.

247 So, okay, looks to me like it was filed April 28th.
248 It looks also...
249 Like we have an entry appearance from Hardy McLean, not objecting.
250 Looks like we have a motion for a continuance.
251 By Permian resources.
252 To continue the case.
253 Miss Pena, why did you file a motion to continue their cases?
254 Um, let me see if you...
255 It looks like, you know, it's a typical, the typical we want to negotiate. I believe that's
256 probably the case. We probably reached out to Fed with their cases and asked if we
257 can continue just to allow for negotiations. And
258 Okay, all right. I'm not going to ask you to speculate any further. We have an entry of
259 appearance from Mr. Padilla on behalf of Hunt Cimarron. This is on the 11th of June.
260 Not an objection, though.
261 Motion to for a continuance and opposition by Mr. Padilla for Hunt Cimarron.
262 So that was filed.
263 In June.
264 We have an entry of appearance from Miss Kessler.
265 We have an entry appearance from Mathias Sayer.
266 Who's not present today for J.R. Oil Limited?
267 What else do we have?
268 And we have a pre-hearing order filed.
269 I'm not sure when this was filed. Let's see. This was filed on July 23rd. So at that time,
270 Miss Luck, you asked for a contested hearing.
271 That's correct. Right. Okay. And I granted you a contested hearing on July 23rd. So
272 it's been about six weeks since then and now you want a continuance. I haven't heard
273 a good reason to continue these cases. I understand that you think there's a letter of
274 agreement.
275 Seems to me that information would come out of the hearing, and if required, we
276 can deal with that at the hearing. I still don't see a good reason to continue this case
277 at the time.
278 I knew that.
279 Well, since that time, Mr. Examiner, Mewburn has filed their competing applications.
280 And now I have a copy of the assignment from Rockwood to Mewburn. And in the
281 Rockwood to Mewburn assignment that's recorded, it references the letter

282 agreement that I'm talking about. So it says, this assignment is subject to that certain
283 letter agreement dated July 30th, 2026 between Rockwood Energy and Mewburn Oil
284 Company.

285 And so because this assignment of operating rights, it says Rockwood Energy in
286 consideration of the sum of \$100 does transfer, assign, sell and convey under
287 Newburn, and then it gives a 99% interest to Newburn and it reserves a 1% interest
288 to Rockwood, and then it says it's subject to a letter of agreement, and all we have is
289 a copy of the assignment and not the letter of agreement. And so since you entered
290 an order issuing this case for a contested hearing, Newburn filed competing
291 locations. We got a copy of this assignment, and now we need more information to
292 find out exactly what the party's interests are in terms of operating this unit and
293 who's going to be in charge of it. I've been on the other side of one of these deals
294 with Rockwood and Mewburn, and I think it's proper inquiry prior to a pre-hearing
295 conference or any type of actual contested hearing to determine what the
296 operatorship rights are in

297 what the ownership is within a unit because these are competing applications. And
298 that's one of the five factors the division is supposed to look at. So in my opinion,
299 given the fact that Mewburn showed up after the pre-hearing order, and then there's
300 this assignment with an unfiled letter agreement, that is good cause to continue this
301 case so that we can get a subpoena and we can get the information we need to have
302 a pre-hearing conference on the motions that are to come out of the subpoena, and
303 then secondly, a contested hearing that's timely and actually accurately considered.
304 accurate information because at this point in time, we don't have accurate
305 information. What factor that the division considers is the letter of agreement
306 relevant to?

307 which party owns the majority working interest. Okay, and you said that the letter
308 agreement assigns a certain interest from Rockwood to Newborn, is that right? Right.
309 So what more do you need to know? What the letter agreement says in terms of
310 whether or not this

311 99% interest that Rockwood transferred to Mewburn is going to be transferred back
312 to Rockwood after a polling order is issued.

313 Because, Mister, if you'll remember, last August we were all here together for a very
314 similar case involving Rockwood and Newburn competing against Miss Bennett with
315 Cotera.

316 Mewburn was testifying for Rockwood in that case, and now we've got a reverse

situation where Rockwood transferred all of its interest to Mewburn to put on the case. How much interest did it was transferred? 99%.

99% of what? Of Rockwood's interest, subject to the letter agreement. Great. How much interest did Rockwood own in this land?

Well, that's an important question. You don't know the answer? I don't have the title ship owner, I don't have the title report or the ownership information right in front of me, but I think that that's why we would need to see the subpoena to see exactly what ownership Rockwood is claiming that it owns and whether or not it's all going to be transferred back to Rockwood after this hearing happens. And how does that affect your application?

because it matters in a competing hearing who owns the majority working interest. And if Mewburn only owns this interest during the pendency of this case and then it's all transferred back to Rockwood,

then it sounds like that factor would actually go towards FED because everyone in this case is contesting what the ownership is in Section 17. And we haven't gone into that at this hearing, but the ownership in Section 17 is contested. And so I can't provide you exact ownership information right at this point in time because of that Section 17 issue.

How much ownership interest does your client own in this land?

Again, I don't have that number in front of me right now. You have no idea what it is?

I don't have that number in front of me right now, no. How much interest does Mewburn have in this land? My understanding is that Mewburn owns about 20% of the interest in the contested acreage. And I just want to make

Two points. One, while I would like for us to continue to a later contested hearing date, I don't necessarily agree with Ms. Luck on needing this information right now prior to the hearing because the ownership interest comes out during the contested hearing.

That's information that is a part of the contested hearing process. So I don't necessarily agree that that needs to be brought out prior to. But my understanding is that her client does not own anything in the contested acreage. And so, you know, That's where we are at this point. All right, thank you. Mr. Padilla, anything further?

+15*****66 51:01

No, and I can't say for sure what the ownership interest of Rockwood is at this point, but I do believe there are two tracks of land and the assignment that this luck was

352 talking about was a prior assignment.
353 And this latest assignment out of Cimarron is a different track. So I can't speak right
354 now to the acreage.
355 alignment in the spacing units that are proposed.

356

357 **PH Pecos Hall 51:41**

358 Miss Pena, is there anything further? Nothing from us. Thank you. All right. Miss Luck,
359 I'm not going to continue these cases. Miss Vance, don't bother filing a motion
360 because it will be denied. This case will either go to hearing on September 15th or
361 it'll be dismissed. So that's my ruling on.
362 these two cases. We're off the record in these cases. Let's move on to the third case
363 on our docket. It is joined, it looks like, with some other cases. These have come back
364 around. These are Mr. McClure's cases, are our several other cases. Let's call 26089.
365 and 26090.

366

367 **MS Miguel Suazo 52:24**

368 Good morning, Mr. Examiner. Miguel Suazo with Bating Wozniak appearing today on
369 behalf of XTO Permian operating.

370

371 **PH Pecos Hall 52:31**

372 Good morning, Mister Suazo. Good morning, Mister Hearing Zeminer. Yadi Sapena
373 with Hardy McLean on behalf of Permian Resources Operating, and we are just
374 monitoring these cases now. Perfect. Mr. Suazo, we are in receipt of your amended
375 hearing exhibits. They are admitted into evidence.
376 Our Mr. McClure does have questions for your land man. So would you call your land
377 man?

378

379 **MS Miguel Suazo 52:57**

380 Yes, I, she's on the line. Her name is Andrea Bosworth. She is not previously testified
381 as an expert, so I don't know if you wanted to look at her credentials which are
382 included in the exhibit packet and swear her in.

383

384 **PH Pecos Hall 53:10**

385 Okay, I see two individuals here on my screen. I'm not sure who's who.
386 and I can't hear either one of them. Would you unmute your mic? Thank you.

387

388 **E** **EMHC/W4.5A.451** 53:23

389 Sorry, in the white, Andrea Bosworth.

390

391 **PH** **Pecos Hall** 53:27

392 I'm sorry, would you spell your name?

393

394 **E** **EMHC/W4.5A.451** 53:30

395 A NDREA.

396

397 **PH** **Pecos Hall** 53:37

398 And your last name?

399

400 **E** **EMHC/W4.5A.451** 53:38

401 Osworth BOSWORTH.

402

403 **PH** **Pecos Hall** 53:42

404 Okay, perfect. Ms. Bosworth, would you please raise your right hand?

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

407

408 **E** **EMHC/W4.5A.451** 53:52

409 Yes, sir.

410

411 **PH** **Pecos Hall** 53:53

412 Okay. You're seeking to be qualified as an expert in what field before this division?

413

414 **E** **EMHC/W4.5A.451** 54:01

415 Land.

416

417 **PH** **Pecos Hall** 54:02

418 Okay. What education do you have that goes toward that experience?

419

420 **E** **EMHC/W4.5A.451** 54:07

421 I have a, my undergrad is from Texas Tech University and I have an MBA from Texas
422 Tech as well and a Cpl.

423

424 **PH Pecos Hall** 54:16

425 When did you achieve? When did you achieve those certificates?

426

427 **E EMHC/W4.5A.451** 54:16

428 through AAPL.

429 The Cpl.

430

431 **PH Pecos Hall** 54:24

432 All of what you said, when did you achieve that?

433

434 **E EMHC/W4.5A.451** 54:25

435 Oh, the undergrad was 2007. My MBA was 2016, I believe. It's been so long ago. And

436 my Cpl. was 2016 as well.

437

438 **PH Pecos Hall** 54:39

439 Okay, and Cpl. is what?

440

441 **E EMHC/W4.5A.451** 54:42

442 certified professional land man certificate.

443

444 **PH Pecos Hall** 54:44

445 All right. What work experience do you have that goes toward that qualification?

446

447 **E EMHC/W4.5A.451** 54:50

448 I've been at in-house inland at Exxon Mobil for 18 years. I have extensive experience

449 in development in Barnett, Bakken, and now New Mexico, Delaware Basin. I have a

450 lot of experience in

451 negotiating JOAs, other land agreements.

452

453 **PH Pecos Hall** 55:12

454 So.

455

456 **E** **EMHC/W4.5A.451** 55:18

457 putting developments together, getting wells drilled, reviewing title.

458 confirming ownership, working on trades, divestments.

459

460 **PH** **Pecos Hall** 55:31

461 OK, what's your title at XTO?

462

463 **E** **EMHC/W4.5A.451** 55:35

464 Commercial Land Advisor.

465

466 **PH** **Pecos Hall** 55:38

467 Commercial Land Advisor.

468

469 **E** **EMHC/W4.5A.451** 55:41

470 Yes, Sir.

471

472 **PH** **Pecos Hall** 55:45

473 Okay.

474 OK, this division qualifies you as an expert in petroleum land, Mister McClure.

475

476  **McClure, Dean, EMNRD** 55:54

477 Thank you, Mr. Hearing Examiner. Miss Barsworth, I'm looking at your.

478 Let me get back down to the right page. I'm looking at your exhibit B2, which is like a

479 lease map that indicates like the notification area. Looks like it's page 44 of 64 in the

480 first case.

481

482 **E** **EMHC/W4.5A.451** 56:21

483 Yes, sir.

484

485  **McClure, Dean, EMNRD** 56:22

486 Yeah, I noticed on here, Miss Bosworth, that like you have the in the notification area,

487 like highlight it, but do you include anywhere the actual breakout of all the working

488 interest owners or operators in each of these depicted tracks?

489

490 **E** **EMHC/W4.5A.451** 56:42

491 Yes, sir. If you look at exhibit B5, it has the notice area, which includes Permian
492 Resources, Chevron, SLO, and BLM.

493

494 **PH** **Pecos Hall** 56:50

495 The.

496

497  **McClure, Dean, EMNRD** 56:55

498 Um...

499 Exhibit B5.

500 Let me.

501 Do you know, do you have a page number for that Ms. Bosworth by hand?

502

503 **E** **EMHC/W4.5A.451** 57:06

504 I think it may be page 47.

505

506  **McClure, Dean, EMNRD** 57:13

507 Page 47 has exhibit B4 and it does discuss like track one through 5, but these tracks
508 as discussed appear to be the unit area itself. Is that what you're seeing as well?

509

510 **E** **EMHC/W4.5A.451** 57:29

511 I guess I may be on the wrong case because on mine, I'm on the one for the bone
512 screen and it's page 47 is the notice list.

513 And it includes the tracking information and all of that. It may be, so it may be on
514 you, it may be the page, the next exhibit.

515

516  **McClure, Dean, EMNRD** 57:42

517 Yeah.

518 Yeah.

519 Okay, I'm specifically looking at case 26089.

520 And I do see, oh, I do see exhibit B5 on the next page.

521 But I guess, does this indicate for me, is there anywhere I'm missing on here where
522 this indicates like which track these donors are in?

523

524 **E** **EMHC/W4.5A.451** 58:03

525 Yeah.

526 So the unit itself or the DA itself is 100% owned by XTO. We do have a term
527 assignment from Chevron for the west half of 33 that is outside the James Ranch
528 unit. Section 32 is owned by Permian Resources and that's why they received notice.
529 The rest of the lands are owned by XTO.

530

531 **MS** **Miguel Suazo** 58:38

532 And Mr. Examiner, I would just direct the division's attention and Mr. McClure's to
533 exhibit B4, which on case 26089 is on page 47 of 64, and that lays out the tracks for
534 this application.

535

536  **McClure, Dean, EMNRD** 58:56

537 I think thank you, Mr. Sozo. I do see that the issue here is what it's laid out is the unit
538 itself rather than the notification area. At least that's what it had appeared. That's
539 what how it kind of appears to me, I guess.

540

541 **E** **EMHC/W4.5A.451** 59:12

542 Yeah, so the only, again, the only person that we would give needed to give notice to
543 was PR, which is the section 32.

544

545  **McClure, Dean, EMNRD** 59:25

546 In Ms. Barsworth, Nick.

547

548 **E** **EMHC/W4.5A.451** 59:25

549 Everything else.

550

551  **McClure, Dean, EMNRD** 59:27

552 Is that indicated anywhere in the written evidence here, I guess, in regards to the
553 ownership of all those surrounding tracks?

554

555 **MS** **Miguel Suazo** 59:37

556 Ohh.

557

558 **E** **EMHC/W4.5A.451** 59:37

559 I didn't think that was a requirement to include ownership of tracks outside of the
560 proposed spacing.

561

562 **MS** **Miguel Suazo** 59:47

563 I'm sorry, Mr. I'm confused about the question. So you're asking if notice was given,
564 Mr. McClure, to Permian or to Permian resources?

565

566  **McClure, Dean, EMNRD** 1:00:02

567 My question is to...

568 I'll provide a bit of context. I need to confirm that all of the working interest owners
569 that are in like the South half, South half of section 28, South half, South half of 27,
570 South half, South half 26. I need to know who those interest donors are or the
571 operator if it's somebody other than the applicant. And I

572

573 **E** **EMHC/W4.5A.451** 1:00:30

574 That's XTO, that's, yeah, that's within the James Ranch unit, and that's what the hatch
575 lines, that's all within the James Ranch unit.

576

577  **McClure, Dean, EMNRD** 1:00:36

578 Mhm.

579 Ms. Barsworth, if I were to ask you to provide me an indication as to who the
580 operator is and working interest donors are in each of the notification area or of all
581 that notification area in each separate track.

582 Do you understand what I'm asking for?

583

584 **E** **EMHC/W4.5A.451** 1:01:02

585 Yes, sir. And I'm saying that the XTO is the operator of the James Ranch unit. So the
586 28 sections 28, 27, 26, 25, that's all within the James Ranch unit. That XTO permian is
587 the operator.

588

589  **McClure, Dean, EMNRD** 1:01:16

590 Yeah, Ms. Bosworth, I guess that's the reason I'm asking for this, because if the
591 operator is the same as the applicant, then notice needs to be provided to the

592 working interest owners. And I don't see a list that indicates for me which tracks have
593 specific operator and then if it is the applicant who the working interest owners are.
594 And that's the evidence I'm asking for. I guess do you understand what I'm, if I were
595 to ask you to provide it to me in a written format, like somehow linked to this exhibit
596 B2 where you have this map. Do you understand what I'm asking for?

597

598  **EMHC/W4.5A.451** 1:01:40

599 Okay.

600 Yes, Sir, X.

601

602  **Pecos Hall** 1:01:52

603 English.

604

605  **EMHC/W4.5A.451** 1:01:54

606 Yes, sir. XTO should be the working interest owner of those leases as well.

607

608  **Pecos Hall** 1:01:54

609 Yeah.

610

611  **McClure, Dean, EMNRD** 1:02:01

612 With the exception of Section 32.

613

614  **EMHC/W4.5A.451** 1:02:05

615 Yes, sir.

616

617  **McClure, Dean, EMNRD** 1:02:06

618 Okay, so can you tell me exactly what you would be amending in this exhibit then for
619 my request?

620

621  **EMHC/W4.5A.451** 1:02:14

622 including section 32 and that 100% of that ownership is owned by PR.

623

624  **McClure, Dean, EMNRD** 1:02:22

625 Yeah, but...

626

627 **E** **EMHC/W4.5A.451** 1:02:22

628 And any of the surrounding tracks listing what XTO's working interest is.

629

630  **McClure, Dean, EMNRD** 1:02:31

631 OK, typically, alright, let me.

632 I'm scrolling down to your exhibit B4. Are you with me, Ms. Bosworth?

633

634 **E** **EMHC/W4.5A.451** 1:02:42

635 Yes, sir.

636

637  **McClure, Dean, EMNRD** 1:02:44

638 If you were to create a new table that is very similar to this one.

639 Except including the proposed unit.

640 You would now be including individual tracks for each of the surrounding areas.

641 Do you understand what I would be asking for in that regard?

642

643 **E** **EMHC/W4.5A.451** 1:03:03

644 But we're not, but we're not wanting to include those in the DSU.

645

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

647 Okay, let me ask my question again. Do you understand what I would be asking for if

648 I were to ask you to construct a table similar to this exhibit before, but instead of

649 within the proposed unit, I would want each of the tracks around the proposed unit

650 provided. Do you understand what I'm asking for?

651

652 **E** **EMHC/W4.5A.451** 1:03:30

653 Yes, sir.

654

655  **McClure, Dean, EMNRD** 1:03:32

656 OK, and...

657

658 **MS** **Miguel Suazo** 1:03:32

659 Mr. Examiner, can I ask a question? Mr. McClure, what purpose does that serve? And

660 then just because I wanted to direct your attention to exhibit B3, which is page

661

662  **McClure, Dean, EMNRD** 1:03:34

663 Go ahead, Mister.

664

665  **Miguel Suazo** 1:03:50

666 Hang on.

667 Page 44 of 64, if you look.

668

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

670 I'm sorry, Mr. Sozo, give me a second. You said 34, you said?

671

672  **Miguel Suazo** 1:04:00

673 44 or 45 in that page. Okay, so it's 44 of 64.

674

675  **McClure, Dean, EMNRD** 1:04:01

676 Oh, 44, excuse me.

677 Okay, I'm with you, Miss. 44 of 64. Okay, so exhibit B2.

678

679  **Miguel Suazo** 1:04:11

680 B2, sorry, that might not be the right one. I just thought, and then I went down and I

681 wondered, okay, it's...

682

683  **McClure, Dean, EMNRD** 1:04:14

684 Oh.

685

686  **Miguel Suazo** 1:04:18

687 46 of 64.

688

689  **McClure, Dean, EMNRD** 1:04:21

690 46 of 60. Okay, I'm looking at a like a depiction of the proposed unit. Is that what
691 your exhibit B4 it looks like? Is that where you're talking about Mr. Sarzo?

692

693  **Miguel Suazo** 1:04:22

694 Yes.

695 So this is exhibit.

696 It's the JRUDI 8 West tract ownership. There's yellow and blue on that. And to the
697 left, it shows it the breakdown by track.
698 Do you see that? I can probably try to.

699

700  **McClure, Dean, EMNRD** 1:04:53

701 I do see, I do see that, Mr. Sawzo, but I think where maybe the misunderstanding is,
702 is the notification requirements for an NSP that extends from a standard HSU. So if
703 you're enlarging the NSP, then it's the surrounding tracks that must be provided
704 notice.

705 which does seem to be indicated in the earlier exhibit, that being exhibit B2, because
706 it has like that dash notification area. But what I'm looking for is for a list of the
707 breakout of ownership within that notification area. The inside of the proposed unit,
708

709  **Miguel Suazo** 1:05:22

710 Right.

711

712  **McClure, Dean, EMNRD** 1:05:33

713 is, I mean, it's pretty much irrelevant, I guess, for just a straight up NSP case.

714

715  **Miguel Suazo** 1:05:38

716 Okay, so I just want to make sure that I understand exactly what you're asking for
717 because I feel like there might be some confusion for the witness and for me, frankly.
718 I think I just want to make sure that the information that you're looking for, you
719 acknowledge is in the application, you just want it presented.
720 differently. Is that fair?

721

722  **McClure, Dean, EMNRD** 1:06:02

723 Well, that's what I was asking your expert witness, but she wasn't able to point to me
724 where it is within the exhibit packet. I mean, but you feel free, Mr. Sozo, if you think it
725 is indicated anywhere as to the actual.

726

727  **Pecos Hall** 1:06:09

728 See.

729

730  **Miguel Suazo** 1:06:10

731 Okay.
732 I do think I do think Mr. McClure is indicated. I think if you look at the witnesses
733 affidavit, the parties included were Permian, Chevron, the Commissioner of Public
734 Lands, the BLM, the notice affidavit, mainly records and publication are all included in
735 Exhibit D.

736

737  **McClure, Dean, EMNRD** 1:06:20

738 Yeah.

739

740  **Pecos Hall** 1:06:20

741 You.

742

743  **Miguel Suazo** 1:06:35

744 And so I would say more broadly than that, which is why I directed you to B2, every
745 working interest owner in every surrounding tract was separately identified in that
746 exhibit B2. So I think the map shows the notice area and the notice exhibits show
747 who is actually notified. Now, if you wanted that presented differently, that's one
748 thing.

749 But my point is, I think the information you're looking for is there. It may just take a
750 minute for you to kind of look at that and then decide if in fact you do need anything
751 amended or if what's there is sufficient or if we can just supplement this piece of it
752 for your own clarity.

753

754  **McClure, Dean, EMNRD** 1:07:16

755 I guess, do you have a paragraph citation and say the self-affirmed statement that
756 you could direct my attention to?

757

758  **Miguel Suazo** 1:07:24

759 Sure.

760

761  **McClure, Dean, EMNRD** 1:07:37

762 I don't know if you're looking for paragraph 9, Mr. Sawzo, perhaps. But that
763 paragraph 9 is kind of where the issue lies because it seems to indicate the incorrect
764 area that needs notification.

765

766  **Pecos Hall** 1:07:43

767 And.

768

769  **Miguel Suazo** 1:07:49

770 Sure. So I would draw your attention to paragraphs 10 and 13. Paragraph 10 says
771 that XTO exhibit B5 provides the list of affected persons provided notice. And then if
772 you go down to paragraph 13, that then explains how Ms. Bosworth identified the
773 people entitled to notice.

774

775  **McClure, Dean, EMNRD** 1:07:54

776 Okay.

777

778  **Miguel Suazo** 1:08:10

779 She states that she conducted a diligent search of the Eddy County public records,
780 phone directories, computer searches, and all interest owners that were locatable
781 and noticed. So there were no unleased mineral interest owners, and she provided
782 the firm with the names and addresses and instructed that each owner received
783 notice, which we did.
784 That's also in the application. So I think that it's safe to say, at least from my
785 perspective, that Ms. Bosworth established the surrounding affected interest owners
786 were identified and noticed, and that's clear in her affidavit. And I think if you look at
787 that and then the exhibits that we've been going over during our discussion,
788 I would think that would be sufficient.

789

790  **McClure, Dean, EMNRD** 1:08:51

791 Well, Mr. Sozo, I mean, the packet, the exhibit packet is abundantly include interest
792 owners and that information in regard to the proposed unit itself.

793 So I mean, maybe, maybe there's just a lot of irrelevant data included here. That's a
794 possibility. My concern is I want to see the data provided for the surrounding areas
795 to ensure that there wasn't a mistake made when notice was sent out. And that's
796 essentially the information that

797

798  **Miguel Suazo** 1:09:27

799 Pardon.

800

801  **McClure, Dean, EMNRD** 1:09:29

802 we're going to need. And I do not see that information presented anywhere within
803 this exhibit packet.

804

805  **Pecos Hall** 1:09:34

806 Okay.

807

808  **Miguel Suazo** 1:09:37

809 Okay, well, I feel like I pointed out to you what I believe is that information. If you'd
810 like to see it a different way, we can certainly accommodate. But I think, you know,
811 we'll just leave it there, I suppose.

812

813  **Pecos Hall** 1:09:51

814 Okay, so Mr. McClure, do you have any other questions for Miss Bosworth?

815

816  **McClure, Dean, EMNRD** 1:09:56

817 I mean, I don't have any other questions unless...

818 I know this Mr. Sawzo thinks he can, unless maybe across or something, we can
819 provide more, but I'm not really seeing what I need to see.

820

821  **Pecos Hall** 1:10:04

822 Yeah.

823 Okay, why don't you just tell Mr. Suazo what you want and let's see how long it'll
824 take him to get it to us.

825

826  **McClure, Dean, EMNRD** 1:10:09

827 Here.

828 OK, Mister Sawzo, did you hear my earlier request from Miss Bosworth in regards to
829 what I'm looking for?

830

831  **Miguel Suazo** 1:10:22

832 So, as I understand what you would like to see, Mister McClure, is you want us to
833 provide?

834 the working interest owners in each separate tract, which we do in exhibit B-2. And

835 then you want us to create a new table similar to what is reflected in exhibit B-4, but
836 with a unit included, which is referenced in the affidavit, but also pointed out in
837 exhibits B4 through B5.

838 So, I guess what you're asking for is...

839 something that looks similar to B-4, which is the list with the tracks, and then you
840 want information related to the surrounding unit in addition to that. Is that accurate?

841

842  **McClure, Dean, EMNRD** 1:11:10

843 Well, I guess just to make sure we don't end up having another continuance, like I'm
844 looking at, just to make sure we're on the same page, I'm looking at like where you
845 referenced the map on exhibit B4. Are you on the same page with me, Mr. Sozo, so I
846 can kind of show you what the issue is?

847

848  **Miguel Suazo** 1:11:26

849 Give me just a moment. Okay, I'm on B4, which is page 46 of 64.

850

851  **McClure, Dean, EMNRD** 1:11:29

852 Yeah.

853 And like for instance, like the track one that's on the left hand side there, like that's
854 for the west half of section 36. You see what I'm talking about there?

855

856  **Miguel Suazo** 1:11:45

857 Yes, Sir.

858

859  **McClure, Dean, EMNRD** 1:11:46

860 I don't want that. I don't need that. What I need is like the east half of 36.

861 and I need like the south half of section 26. You know that that sort of thing is what
862 is where I'm needing for. So it's fine to give me something similar to this, but I don't
863 need this. I don't need these tracks. I need to make sure we have the surrounding
864 track is what I'm asking for.

865

866  **EMHC/W4.5A.451** 1:11:53

867 Yeah.

868

869  **Pecos Hall** 1:12:04

870 Songs.

871

872  **EMHC/W4.5A.451** 1:12:08

873 All those tracks are within the James Ranch unit, which XTO is the operator and
874 owner of those leases.

875 But I'm happy to give a table to show that.

876

877  **Pecos Hall** 1:12:16

878 So, Miss.

879 So Ms. Bosworth, if you would kindly not speak over anyone else because then the
880 recording won't pick you up. So would you start again and say it again?

881

882  **EMHC/W4.5A.451** 1:12:31

883 Sorry, I was saying that those all of those tracks in the hatched blue are within the
884 James Ranch unit, which XTO is the owns the working interest and is the operator of
885 that federal unit.

886 But I'm happy to provide a table showing that if that's what's needed.

887

888  **McClure, Dean, EMNRD** 1:12:54

889 Mr. Sozo, I guess it sounds like Ms. Bosworth knows what I'm looking for. Do you
890 kind of know maybe what sort of time frame we'd be looking at to be able to provide
891 that?

892

893  **Pecos Hall** 1:13:04

894 Yeah.

895

896  **Miguel Suazo** 1:13:05

897 I would defer to the witness on how quickly she thinks she could put that together. I
898 guess just to put a finer point on what Ms. Bosworth said, even though the area that
899 you're asking about and want additional information on is clearly owned by the
900 applicant, you still want that separately listed out?

901

902  **McClure, Dean, EMNRD** 1:13:26

903 Well, I need, I would like for it to be in the written record, I guess, because we all we
904 have currently is a verbal communication here and there seems to be a great deal of
905 confusion within the exhibit packet.

906 So I guess I yes, I'll confirm for you that I would like it to be in a written format.

907

908 **MS Miguel Suazo 1:13:46**

909 Okay, Ms. Bosworth, I defer to you. How long would it take you to help put that
910 together?

911

912 **PH Pecos Hall 1:13:47**

913 Mum.

914

915 **E EMHC/W4.5A.451 1:13:53**

916 I can get the list today.

917

918 **PH Pecos Hall 1:13:56**

919 So Mr. Suazo, if you can submit that and amended, I guess it would be what, a
920 second amended? Is it a second or a third? What number are we on now?

921

922 **MS Miguel Suazo 1:14:06**

923 This will be our second amended exhibit packet. We submitted a new one after
924 Permian withdrew its objection.

925

926 **PH Pecos Hall 1:14:09**

927 Perfect.

928 All right, perfect. So if you can submit that by 5 o'clock today, we'll keep the record
929 open and we'll take the case under advisement then. As long as it says what Ms.
930 Bosworth says it's going to say, then I don't think we need to have further review on
931 that one issue.

932

933 **MS Miguel Suazo 1:14:28**

934 Okay, thank you, Mr. Examiner. We'll get that done.

935

936 **PH Pecos Hall 1:14:30**

937 Anything? All right. Anything else, Mr. McClure?

938

939  **McClure, Dean, EMNRD** 1:14:34

940 Nothing for me, Mr. Hearing Examiner.

941

942  **Pecos Hall** 1:14:36

943 All right. And does that, Mr. McClure, is that for both cases?

944

945  **McClure, Dean, EMNRD** 1:14:39

946 That's correct, Mister.

947

948  **Pecos Hall** 1:14:40

949 All right. So, Miss Bosworth, you understand?

950

951  **EMHC/W4.5A.451** 1:14:44

952 Yes, sir.

953

954  **Pecos Hall** 1:14:45

955 All right.

956 Is that going to be a separate exhibit, Miss Bosworth?

957

958  **EMHC/W4.5A.451** 1:14:54

959 Miguel, do you do we need to have a like a B4?

960 A or.

961

962  **Miguel Suazo** 1:15:02

963 I don't know if it's going to be a separate one. I feel like that might be cause more
964 confusion.

965 Do you need an answer to that? I mean, if we can do it as a separate exhibit, if that
966 makes it clear what was, you know, came previously and what we're amending, but
967 that could also cause its own confusion. And I just don't have conceptually enough of
968 an idea of what we're going to submit actually looks like beyond what it contains to
969 tell you affirmatively what it's going to look like.

970

971  **Pecos Hall** 1:15:27

972 Okay.

973 All right, Mr. McClure, how do you want it?

974

975  **McClure, Dean, EMNRD** 1:15:35

976 I don't know as it makes a difference to me whether they amend their current exhibit

977 to also include the additional cable or a supplemental.

978

979  **Pecos Hall** 1:15:42

980 Okay.

981 It's up to you, Miss Bosworth. Do it how you see fit.

982

983  **EMHC/W4.5A.451** 1:15:48

984 OK. Thank you.

985

986  **Pecos Hall** 1:15:49

987 Right.

988 All right, Mr. Suazo, if that's submitted, submitted today with a cover letter by 5, then

989 this case will be taken under advisement. If not, we'll have to continue it to for further

990 review.

991

992  **Miguel Suazo** 1:16:02

993 Understood. Thank you, Mr. Examiner.

994

995  **Pecos Hall** 1:16:03

996 All right, thanks. We're off the record in those two cases. The good news is the next

997 few cases we're going to make a lot faster. So let me call Mewburn Oil. This is

998 2622426225. Good morning, Mr. Examiner. Dana Hardy with Mewburn. Thank you.

999 For Mewburn, and there are no other parties. All right, Miss Miss Hardy, we did

1000 receive your amended exhibit packet.

1001 It is admitted into evidence the cases are taken under advisement. Thank you. All

1002 right. Those 2 cases are finished. Let's move on now to case #7 on our docket,

1003 Matador Production, 26295. I think I'm going to call 26296.

1004 first and separately from the other two cases that may give you a hint of where this is

1005 going. So entries of appearance, please. Good morning, Mr. Hearing Examiner, Paula

1006 Vance with the Santa Fe Office of Holland and Hart on behalf of the applicant, MRC

1007 Permian Matador Production Company. Thank you. Good morning, Mr. Hearing
1008 Examiner, Yadiza Pena with Hardy McLean on behalf of COG Operating LLC, and we
1009 are just monitoring these cases.

1010 His menu.

1011 Ms. Vance, we're hearing this case separately because we're treating it separately
1012 than the other two. Okay, so we did receive the amended exhibit packet here. As you
1013 probably already know, I think you've been in communication with Mr. McClure, so
1014 this is probably not a surprise to you. This case will be taken under advisement. Okay,
1015 let's move on to 26295 and 26297 entries, please.

1016 Good morning, Mr. Hearing Examiner Paula Vance with the Santa Fe Office of
1017 Holland and Hart on behalf of the applicant, MRC Permian Company, Madador
1018 Production Company. And Yaditza Pena with Hardy McLean on behalf of COG
1019 Operating LLC, just monitoring as well. Thank you, Miss Pena. Go right ahead, Miss
1020 Vance. Yes. Oops, sorry.

1021

1022 **BH Benjamin Holliday 1:17:50**

1023 Good morning, Mister. Hey guys, it's Ben Holiday appearing on behalf of Power
1024 Runner operating, and let's see, wait, let me pull up my docket.
1025 26296 only and we're just monitoring.

1026

1027 **PH Pecos Hall 1:18:04**

1028 Ah, okay, so 96, great. That case has been taken under advisement. Thank you, Mr.
1029 Holiday. We're now calling 95 and 97. Are there any other inches of appearance that
1030 you know of, Ms. Vance? No. Okay, go right ahead. Yes. So we previously were here
1031 present, or I was presenting these cases.

1032 We had some back and forth with Mr. McClure, and as you already alluded to, we
1033 had some additional e-mail correspondence. I did speak with Mr. McClure the other
1034 day at length, and I think that Matador understands the exhibits that Mr. McClure
1035 would like for us to take this case under advisement.

1036 We do have our experts available in case he wants to have any follow up
1037 conversation with our geologist to confirm understanding, but I think he pretty much
1038 laid it out in his e-mail detailing the exhibit that he would like regarding the depth
1039 severance. So unless Mr. McClure would like to question our
1040 our experts, we will go ahead and take advisement based on his feedback. And we
1041 would just ask that these that these cases be continued. And I'm double checking the

1042 date that I had talked with Mr. McClure about to the 915. I will be here for the
1043 September 15th.

1044

1045 **AN Angelle, Nicholas** 1:19:13

1046 How are you?

1047 Okay.

1048

1049 **PH Pecos Hall** 1:19:33

1050 contested hearing date for all of the cases. So if we could have until then, we would
1051 very much appreciate it and we'll file those continuances.

1052 I think, alright, so your client is clear what Mr. McClure wants.

1053 Yes. Okay. And when do you think your client will provide that data?

1054 Can I provide a response on that to today? I did send that information yesterday and
1055 had some correspondence. I think that they were reviewing it, but I haven't had a
1056 chance to speak with them since I sent that information. So if I could provide a
1057 response either at the end of this docket,

1058

1059 **AN Angelle, Nicholas** 1:20:12

1060 Like I said about my watch.

1061

1062 **PH Pecos Hall** 1:20:15

1063 So that's, we're talking about less than two weeks from today, the 15th. We're talking
1064 that four days before the 15th, I'm not sure what four business days before the 15th
1065 is, but if, I'm going to speak for Mr. McClure. I think he was thinking about October
1066 8th.

1067 However, if your client is able to provide that data and it's a simple review for Mr.

1068 McClure, I have a feeling he won't mind the September 15 docket. So why don't you
1069 continue your cases to the 15th on the idea

1070 that you will have that into us timely and that it and that it will be a simple review. If
1071 it's not, we'll have to ask you to continue them again to the October 8th docket.

1072 Understood and we appreciate the division's accommodation. Thank you. Thank you.

1073 I don't think there's anything left on those two cases since we've had a lot of other
1074 discussion before this hearing on those. And I think

1075 Mr. Holiday and Miss Pena, did you receive the e-mail that Mr. McClure sent

1076 yesterday about his conversation memorializing it? Okay, all right, very good. Okay,

1077 and Mr. Holiday, was that a yes or a no?
1078 Are you still with us? Did you decide to cut out, I guess? All right, whatever. We're off
1079 the record in those two cases. Let's move on now to case number 10 on the docket.
1080 This is Devon Energy, 26306.

1081

1082 **OA** **Olivia Atkins** 1:21:47

1083 Good morning, Mr. Hearing Examiner and Mr. Technical Examiner, Olivia Atkins with
1084 Abbey and Show on behalf of Devon Energy Production Company.

1085

1086 **PH** **Pecos Hall** 1:21:54

1087 Good morning, Ms. Atkins. Before we go any further, I don't see you. Ah, there you
1088 are. Okay, very good. Ms. Atkins, I don't believe there's any other parties in this case,
1089 are there?

1090

1091 **OA** **Olivia Atkins** 1:22:05

1092 No, there's not.

1093

1094 **PH** **Pecos Hall** 1:22:06

1095 All right, very good. We received your amended exhibit packet. It's been reviewed.
1096 The case is taken under advisement. Thank you.

1097

1098 **OA** **Olivia Atkins** 1:22:13

1099 Thank you.

1100

1101 **PH** **Pecos Hall** 1:22:13

1102 All right, let's move on to number 11, WPX Energy. I think it's only one case, 26318.

1103

1104 **BZ** **Bill Zimsky** 1:22:22

1105 Yes, Mr. Harry and Examiner, William Zinski, Abbey and Schill, on behalf of WPX
1106 Energy Permian LLC. And I believe there's one other party.

1107

1108 **PH** **Pecos Hall** 1:22:34

1109 There is Mr. Zemski.

1110

1111 **HK** **Hatley, Keri (LDZX)** 1:22:36

1112 Good morning, Mr. Examiner. Carrie Hatley representing COG Operating LLC
1113 monitoring only.

1114

1115  **Pecos Hall** 1:22:41

1116 Thank you, Ms. Atley.

1117 Mr. Zimski, I believe this case has been heard previously. It's come back. I think
1118 there's a simple fix that you still need to make to the CPAC. I'll let Mr. McClure direct
1119 you, and if you're able to get that in by 5 P.m. today, the case will be taken under
1120 advisement. Mr. McClure.

1121

1122  **McClure, Dean, EMNRD** 1:23:02

1123 Thank you, Mr. Hearing Examiner. Mr. Zinski, do you have your CPAC in front of you
1124 currently?

1125

1126  **Bill Zimsky** 1:23:07

1127 Yes, I do.

1128

1129  **Pecos Hall** 1:23:08

1130 Yes.

1131

1132  **McClure, Dean, EMNRD** 1:23:09

1133 Okay, and do you see on the first page of it, where it talks about like other situations,
1134 it's got several fields under that category.

1135

1136  **Pecos Hall** 1:23:12

1137 Yeah.

1138

1139  **Bill Zimsky** 1:23:19

1140 What page are you on?

1141

1142  **McClure, Dean, EMNRD** 1:23:21

1143 Of your exhibit packet, it's page 13 of 115. It'll be the first page of your CPAC.

1144

1145  **Bill Zimsky** 1:23:29

1146 Okay, got that.

1147

1147  **McClure, Dean, EMNRD** 1:23:31

1149 Again, then can I direct your attention to, I don't know, a little more than halfway
1150 down where it says like other situations is what like the bold heading is for that area.

1151

1151  **Bill Zimsky** 1:23:42

1153 Yes.

1154

1154  **McClure, Dean, EMNRD** 1:23:43

1156 Okay, and then under that you see where it talked about like proxy tracked and
1157 proximity defining well.

1158

1158  **Bill Zimsky** 1:23:52

1160 Yes.

1161

1161  **McClure, Dean, EMNRD** 1:23:53

1163 Okay, and you like currently you have like no listed there, but in fact there is a
1164 defining well here that brings in those proxy tracks. The only thing we're requesting
1165 is if you could go ahead and update that to reference the correct well in there, I
1166 guess.
1167 or reference a well and that well-being the correct well.

1168

1168  **Bill Zimsky** 1:24:16

1170 I understand. Yes, we can do that. And we'll file a second amended hearing packet
1171 with a cover letter indicating that change, and we will get that to you well before 5
1172 P.m. today.

1173

1173  **McClure, Dean, EMNRD** 1:24:31

1175 Okay, thank you, Mr. Simpsey. Thank you, Mr. Hearing Examiner. I didn't have
1176 anything further.

1177

1177  **Pecos Hall** 1:24:35

1179 All right, thank you, Ms. Zemski. We're off the record in that case. Move on to
1180 number 12, Matador Production Company, 26058.

1181

1182 **BZ** **Bill Zimsky** 1:24:38

1183 Thank you.

1184

1185 **PH** **Pecos Hall** 1:24:45

1186 Good morning, Mr. Hearing Examiner Paula Vance with the Santa Fe Office of
1187 Holland and Hart on behalf of the applicant, MRC Permian Company and Matador
1188 Production Company. Thank you.

1189 Good morning, Jackie McLean on behalf of New Bern Oil Company and Permian
1190 Resources operating. And we are just monitoring at this point. Thank you, Miss
1191 McLean.

1192

1193 **HK** **Hatley, Keri (LDZX)** 1:25:10

1194 Good morning, Mr. Examiner. Kerry Hatley, representing COG Operating and Concho
1195 Oil and Gas, monitoring only.

1196

1197 **PH** **Pecos Hall** 1:25:11

1198 Okay.

1199 Thank you, Miss Atley.

1200 Ms. Vance. Yes, so we filed a revised hearing packet and we previously presented this
1201 case. I won't run through it. I did notice one small little wrinkle. If you look, and I'm
1202 happy to share, and I don't know if Mr. McClure picked up on this. At this point, it's
1203 not Mr. McClure, it's Mr. Fordyce. Mr. Fordyce, I will go ahead and just
1204 Really quickly, I believe, let me just go like this. I did notice and I did talk with
1205 Permian's council this morning on the pooling exhibit. You see Permian resources
1206 operating. However, they were not on our notice list.

1207 This was an amended application where nothing changed in terms of the spacing.

1208 The only thing that was done with the amended application was that the 102 well
1209 was dropped. I did send a copy of the application to

1210 to Permian's Council this morning to coordinate with them. They did receive the
1211 notice for the original application. I'm happy to add that to our to a revised hearing
1212 packet if we can leave that open. But again, I've sent that over to them. Thank you,
1213 Ms. Vance. I understand. Ms. McLean.

1214 Does Permian?

1215 It's my understanding that Permian received the initial application. We did and we

1216 had initially objected to this case and have since withdrawn it on, I believe on 8-27,
1217 August 27th. But I don't believe we ever received a copy of that amended
1218 application. So we just let them know today and we haven't
1219 Heard anything back yet?

1220 Okay. Are you then saying that you are reserving some sort of objection?

1221 Well, we withdrew our objection to this last week. But I guess what I'm saying is we
1222 still are under the impression from our client that we are withdrawing our objection.
1223 We don't have the information at this point to say anything further because we just
1224 let them know that they
1225 they dropped one of the wells and all of that. So, you know, I really don't have
1226 anything more to offer at this point. Well, I guess I'm, you know, we're here for a
1227 hearing by affidavit, as you know. And I mean, if there is no objection, then
1228 I believe that, if Miss Vance corrects her exhibits, we can take this case under
1229 advisement, however.

1230 I'm left not knowing whether your client...

1231 I mean, I find it strange that, and we were all in active negotiations on these cases
1232 for, you know, since they filed the application in March. It's really odd that they could
1233 have just emailed us, you know. So, I mean, at this point, we have withdrawn our
1234 objection. We understand it's a presentation by affidavit.
1235 we received no notice of that amended application, which is odd because just six
1236 days later, we drew our objection with the understanding. Although they did, I will
1237 say, I'm starting to remember, this one was weird. Okay, so they, you know, there's a
1238 lot of cases.

1239 This one, they, before we filed our withdrawal of notice of objection, a few days
1240 before, they filed an unopposed motion to continue the case to hearing by affidavit
1241 on September 3rd. They never asked us about that. And they noted that we did not
1242 oppose this motion, although they never inquired
1243 about that. We emailed our client and because they had at that point said, you know,
1244 we're going to come to a deal, we didn't make anything of it, right?

1245 At this point now, we're finding out they had amended their application. No one
1246 knew that. I guess, you know...

1247 We can confirm with our client during a break maybe that we still do that. We can
1248 call over there and try and figure that out because we just learned this this morning.
1249 That's what we'll do. I was going to say that makes sense to me. Let's just get it on
1250 the record from your client that they

1251 Will not object to the amended application. Let me ask Mr. Fordyce, Mr. Fordyce, it
1252 seems like Ms. Vance caught the issue that you and I discussed yesterday. Are there
1253 any other questions that you have for the land man?

1254

1255 **FE Fordyce, Andrew, EMNRD 1:30:21**

1256 Mr. Hearing Examiner, no, I didn't have any other questions. I just wanted
1257 confirmation that Permian Resources was aware of and didn't have any further
1258 objection, objection to the amended exhibits, or excuse me, amended application or
1259 revised exhibits. So the discussion that we just had,

1260

1261 **PH Pecos Hall 1:30:42**

1262 Okay.

1263

1264 **FE Fordyce, Andrew, EMNRD 1:30:43**

1265 If that's cleared up, I had I had no other questions for for this case.

1266

1267 **PH Pecos Hall 1:30:47**

1268 All right, let's go in recess on this case, Miss Vance. We'll wait to hear from Miss
1269 McLean. Miss McLean.

1270 I have a feeling we'll be here till probably about 1 or maybe 2 o'clock today.

1271 Hopefully not. But do you think you'll hear from your client before then? Yes, I just

1272 texted him letting him know I'm going to call. All right. So when you do know

1273 something, would you just let me know to recall this case? Certainly. All right, sounds
1274 good. So we're in recess on this case.

1275 And Freya, help me remember not to forget to recall this case, 26058. All right, let's
1276 move on. Permian Resources, 26151. Good morning, Mr. Examiner. Dana Hardy with
1277 Hardy McLean on behalf of Permian Resources. Thank you. Sharon Shaheen on
1278 behalf of FE Permian Owner One.

1279 Good morning, Miss Sheen. Jordan Kessler on behalf of EOG Resources Monitoring.

1280 Thank you, Miss Kessler. And Miss Shaheen, did you object? We did object, but we
1281 have since withdrawn our objection. We retain our entry of appearance to preserve
1282 rights. Okay. Miss Hardy, I know that, well,

1283 Why don't you present your case? Sure. Thank you. Permian Resources seeks to pool
1284 uncommitted interest in the Bone Spring underlying A 240 acre standard unit that is
1285 located in Section 14, Township 19 South, Range 27 East, and will dedicate the unit

1286 to the gauge 1314 State 131H Well.
1287 FE Permian of Black Creek had objected. We were set for a contested hearing. Their
1288 objection was withdrawn, and so we did refile amended exhibits last week that are
1289 the standard exhibits rather than our contested hearing exhibits that were previously
1290 filed. We have provided the geology testimony and exhibits of Shane Jarvey.
1291 who's previously testified and been recognized as an expert. And if there are
1292 questions for Mr. Jarvey today, he's actually not available, but Chris Rudelheiber is
1293 our geologist who is available. We've also provided the land testimony and exhibits
1294 of Adam Reeker, who has previously testified and been recognized as an expert. Our
1295 notice testimony shows that notice was timely sent on May 6th, 2026, and we did
1296 timely publish.

1297 So unless there are questions, I ask the case be taken under advisement and that the
1298 exhibits be admitted. Admitted without exception, call your land person, please. Mr.
1299 Rieker, can you please turn on your camera?

1300 Mister Reeker, please raise your right hand. Do you swear or affirm on the penalty of
1301 perjury? Testimony about to give is the truth, told truth, nothing but truth.

1302 Thanks. Spell your name.

1303

1304 **AR Adam Reker 1:33:29**

1305 Adam AD AM Reker REKER.

1306

1307 **PH Pecos Hall 1:33:33**

1308 Thank you. Ms. Hardy advises me that you've been accepted as a expert in land
1309 matters before this division. Is that correct?

1310

1311 **AR Adam Reker 1:33:42**

1312 Yes, sir.

1313

1314 **PH Pecos Hall 1:33:43**

1315 Okay, great. Mr. Fordyx, go ahead.

1316

1317 **FE Fordyce, Andrew, EMNRD 1:33:46**

1318 Mr. Rieker, good morning. If I could direct your attention to exhibit B4, actually, it's
1319 B4 on page 34.

1320

1321 **AR Adam Reker** 1:34:07

1322 I think I'm there. Sorry, which one are you looking at?

1323

1324 **FE Fordyce, Andrew, EMNRD** 1:34:11

1325 I'm looking at exhibit B4 on page 34, and it is a geology exhibit.

1326

1327 **AR Adam Reker** 1:34:17

1328 Oh, okay. Sorry, I only have to land once in front of me. Let me get to it.

1329

1330 **PH Pecos Hall** 1:34:25

1331 I'm sorry, what was the page? Thank you.

1332

1333 **AR Adam Reker** 1:34:28

1334 Okay, yes.

1335

1336 **FE Fordyce, Andrew, EMNRD** 1:34:32

1337 Um...

1338 As was stated previously, this was set for a contested hearing with...

1339 FE Permian, and I reviewed all those, all the evidence that was provided. The division

1340 was just a little bit curious if this map and exhibit before

1341 sort of helps show the question that the vision had. And in a nutshell, it was just sort

1342 of...

1343 Why was Permian Resources?

1344 So, objective.

1345 So unwilling to look at drilling a two mile well in this gauge unit. And more

1346 specifically, because it seems like to the west that was going to be the compadre

1347 development, which I drill on this mile and a half well in the in the gauge spacing

1348 unit.

1349 leaves that compadre unit in a little bit of an awkward situation with basically a

1350 what would leave a two mile well in the north half, north half of those sections to the

1351 west and three mile and a half wells.

1352

1353 **PH Pecos Hall** 1:35:48

1354 Yeah.

1355

1356 **FE Fordyce, Andrew, EMNRD 1:35:51**

1357 south of that. And this exhibit also kind of demonstrates that the preferred drilling
1358 direction is east to west or basically toe up on the horizontals, which looks like that
1359 would leave this compadre unit in sort of, again, an awkward
1360 scenario. So I guess my question, the division's question for is sort of twofold. Just
1361 curious about Permian's desire to just leave this as a 1 1/2 mile.
1362 And then what has been discussed for this kind of awkward compadre unit to the
1363 west in terms of development?
1364 Or is that premature?

1365

1366 **AR Adam Reker 1:36:42**

1367 Yes.
1368 Well, compadre is still in the works. We're actually trying to still net up in compadre
1369 to the west, but I can speak to this. So I'll direct your attention to sections 11, 12, and
1370 7 to the north. We had some state of New Mexico lease expirations in that DSU. And
1371 so we were preparing that DSU to meet those expirations.
1372 In looking at this area, we to reduce any risk to the gauge development, we're
1373 wanting to develop it as close in time to the acreage to the north as possible. The
1374 timing was being driven by the state lease expirations in 11, 12 and seven.

1375

1376 **PH Pecos Hall 1:37:13**

1377 Yeah.

1378

1379 **AR Adam Reker 1:37:24**

1380 When you look at the nature of these lands, all of the lands in 7, 11, and 12, as well
1381 as all the lands in Gage are state trust lands. If we include the acreage to the west, it
1382 would have been DLM lands, and we did an internal kind of assessment of this area.
1383 And it's my understanding that
1384 The detriment to the gauge spacing unit based upon any risks of depletion from the
1385 north or any of those would be greater if we extended those laterals and included
1386 the acreage to the west. I assume the division knows that a federal permit takes
1387 significantly longer than a state permit.
1388 We ran the analysis and determined that including the acreage to the west and that
1389 roughly 6 to 8 month time frame that the permits take longer to include the fed

1390 acreage was ultimately going to be worse for the reservoir and cutting the lateral a
1391 little bit shorter and developing that federal acreage.
1392 which we already have to file for a federal permit for the compadre well to the west.
1393 We're already going to have to file for a fed permit there anyway. So does that
1394 answer your question? Sorry, I'm trying to.
1395 Talk around our analysis.

1396

1397 **FE Fordyce, Andrew, EMNRD 1:38:42**

1398 Um...

1399 Actually, Ms. Rieker, that was that was a good explanation of, I think, what permitting
1400 resources looked at, and ultimately this was.
1401 I guess you could call it a risk mitigation decision.

1402

1403 **PH Pecos Hall 1:38:57**

1404 You.

1405

1406 **FE Fordyce, Andrew, EMNRD 1:39:01**

1407 And then...

1408 As you said, the development of the compadre is still in the works and being
1409 discussed as to, I guess, how to best tackle that one.

1410

1411 **AR Adam Reker 1:39:12**

1412 Yes, sir, it is.

1413

1414 **FE Fordyce, Andrew, EMNRD 1:39:14**

1415 Um...

1416 I appreciate that, Mr. Ricker. I didn't. I don't have any further questions for this case.

1417

1418 **PH Pecos Hall 1:39:21**

1419 All right, thank you. Ms. Hardy, we can take this case under advisement. Thank you.

1420 All right, thank you, Mr. Rieker. All right, let's move on to Chevron USA.

1421 26307. I will just, you don't have to enter an appearance, Ms. Vance. This was not
1422 reviewed. It was late filed and the examiners just had too much work. So they were
1423 not able to review this case.

1424 Understood. Would it be possible to have this heard at the 9:15? Let me ask, Mister,

1425 this is Mister Fordyce's case. I don't know. I mean, Mister, it's Mister McClure who's
1426 going to be on on on September 15th, but let me ask Mister Fordyce. Mister Fordyce,
1427 would you agree to review?

1428 This case for the September 15th docket.

1429

1430 **FE Fordyce, Andrew, EMNRD 1:40:16**

1431 Yes, Mr. Higgins, I don't think I have any conflicts. I'm agreeable to. I'm agreeable to
1432 that.

1433

1434 **PH Pecos Hall 1:40:27**

1435 I think you said yes, but I'm not sure. You did say yes, okay.

1436

1437 **FE Fordyce, Andrew, EMNRD 1:40:29**

1438 Yes, yes, Mr. Reading Exam.

1439

1440 **PH Pecos Hall 1:40:33**

1441 Ms. Vance, would you continue this case? Did you want to say something else? Yeah,
1442 well, yes, we'll file a continuance. We are going to file a revised hearing packet. And I
1443 will put a cover letter on that. And, you know, happy to talk about it at that point, but
1444 we're going to file a revised hearing packet.

1445 All right, so you're going to, okay, perfect. Then we're never really got on the record
1446 with that case, but we're finished talking about it. All right, so let's go on to number
1447 15. It looks like maybe we can call 2 cases here. Mewborn Oil, 26312, 26313. Good
1448 morning, Mr. Hearing Examiner Paula Vance with the Santa Fe office of Holland and
1449 Hart on behalf of the applicant, Mewborn Oil Company.

1450 Thank you. Jordan Kessler with EOG Resources monitoring this case. Thank you.

1451 Good morning. Dina Bennett on behalf of Avant operating 2 and we are monitoring
1452 these cases. Thank you, Miss Bennett. Go right ahead, Miss Vance. Thank you. Sorry,
1453 just need about 10 seconds. Make sure I have all my stuff up.

1454 So in both of these cases, it involves the acreage and township 18 South Range, 29
1455 East, and that's in Eddy County. Both of these developments is pulling the Bone
1456 Spring formation. In case number 26312, Mewburn is seeking to pool the
1457 uncommitted interest in the north half of the south half of irregular sections.

1458 33 and 32 and initially dedicate that spacing unit to the turkey trot 3332 Fedcom

1459 525H. There are overlaps involved. We did provide the notice for that. And then in

1460 case number 26313, Mewburn is seeking to pool the uncommitted interest in a
1461 279.40 acres spacing unit.
1462 that consists of lots one through 4 and that is the equivalent of the south half. South
1463 half of irregular sections 33 and 32 and dedicating that initial, dedicating that to the
1464 initial turkey trot 3332 Fedcom 525H. Again, there are overlaps and the notice was
1465 provided.
1466 We have included in our hearing packets the self-affirmed statements of our land
1467 man, Peyton Green, and our geologist, Charles Crosby, both of whom have
1468 previously testified before the division, and their credentials have been accepted as a
1469 matter of record. And actually, let me just step back
1470 It's actually Tyler Jolly. He is not available today. Peyton Green is filling in. She has
1471 testified and she's familiar with the applications. We've included the required sub
1472 exhibits. I will point out that in 26312, we filed A revised hearing packet.
1473 because Avant was, we corrected the entity name that is being pulled and that
1474 Mewburn has been in communication with. And then also we've included my self-
1475 affirmed statement of notice with a sample copy of the notice letter that went out
1476 that was timely on July 17th.
1477 2026 and the notice of publication, the affidavit that was timely published on July
1478 22nd, 2026. I will note, I found a little error there that Burlington, there was a notice
1479 party, Burlington, and I don't have the full name,
1480 but they are listed as being pulled their record title, and they don't appear to have
1481 been noticed. So we, I've already requested Muber and provide updated pooling
1482 exhibit that we can file in both of those cases today before 5 o'clock. So there's the
1483 record title owners and they believe that they'll be able to get a signature from them.
1484 So we'll provide that update.
1485 if we can do it by 5:00 today. Okay, your exhibits in both cases are admitted into
1486 evidence. I know we have questions for both the land man and the geologist. Let's
1487 get them both on the screen. All right.
1488 I see Miss Green's name.
1489 Do you want to call them? Yes. Well, I saw her there. There she is. Miss Green and Mr.
1490 Crosby, can you please turn on your cameras? Yeah, turn on it. There she is.
1491 Okay, and Mr. Crosby, there we go. Okay. Would you please both raise your right
1492 hands? Do you swear or affirm under penalty of perjury that the testimony you're
1493 about to give is the truth, the whole truth, nothing but the truth?

1494

1495 **CC** **Charles Crosby** 1:45:26

1496 I do.

1497

1498 **PG** **Peyton Greene** 1:45:28

1499 Yes.

1500

1501 **PH** **Pecos Hall** 1:45:29

1502 All right, very good. Let's start with you, Miss Green. Spell your name.

1503

1504 **PG** **Peyton Greene** 1:45:34

1505 Peyton, Peyton, Green, GREENE.

1506

1507 **PH** **Pecos Hall** 1:45:38

1508 You.

1509 And have you been previously admitted as an expert before this division?

1510

1511 **PG** **Peyton Greene** 1:45:46

1512 Yes, sir.

1513

1514 **PH** **Pecos Hall** 1:45:47

1515 In what field?

1516

1517 **PG** **Peyton Greene** 1:45:48

1518 I am a petroleum land man. I graduated from Texas Tech. Okay.

1519

1520 **PH** **Pecos Hall** 1:45:50

1521 Okay.

1522 You don't have to tell me that. You've been admitted as an expert. That's good

1523 enough for me. Mr. Crosby, the same question to you.

1524

1525 **CC** **Charles Crosby** 1:45:59

1526 CH Charles, CHARLES, Crosby, CROSBY.

1527

1528 **PH Pecos Hall** 1:46:07

1529 And the same question to you.

1530

1531 **CC Charles Crosby** 1:46:11

1532 I've been approved as a petroleum geologist.

1533

1534 **PH Pecos Hall** 1:46:15

1535 before this division.

1536

1537 **CC Charles Crosby** 1:46:16

1538 Yes, sir.

1539

1540 **PH Pecos Hall** 1:46:17

1541 Okay, very good. Mr. Fordyce, do you want to ask your questions to the witnesses as
1542 a panel or individually?

1543

1544 **FE Fordyce, Andrew, EMNRD** 1:46:27

1545 I can start with my land questions, Mister.

1546

1547 **PH Pecos Hall** 1:46:29

1548 Go right ahead.

1549

1550 **FE Fordyce, Andrew, EMNRD** 1:46:31

1551 Um...

1552

1553 **PH Pecos Hall** 1:46:32

1554 Mm.

1555

1556 **FE Fordyce, Andrew, EMNRD** 1:46:33

1557 Good morning. If I could direct your attention to, let's start on page 13 of Mr. Jolly's
1558 statement.

1559

1560 **PH Pecos Hall** 1:46:39

1561 Miss Vance.

1562 Yes, I'm going to share my screen. Yeah, give me just one second. Which case
1563 number or is it irrelevant?

1564

1565 **FE Fordyce, Andrew, EMNRD 1:46:49**

1566 I'm starting with 26312.

1567

1568 **PH Pecos Hall 1:46:57**

1569 And what paragraph was it?

1570

1571 **FE Fordyce, Andrew, EMNRD 1:46:59**

1572 Page 13, paragraph 9.

1573 Just have a correction for this in the statement. The Palmello Bone Spring East is the
1574 correct pool. But the pool code is listed incorrectly. The correct pool is 49553.

1575 So if we could get that corrected.

1576

1577 **PH Pecos Hall 1:47:26**

1578 Ah.

1579

1580 **FE Fordyce, Andrew, EMNRD 1:47:27**

1581 I live now I like to go to.

1582

1583 **PH Pecos Hall 1:47:31**

1584 When can I can you please provide that one more time? Sorry, I was on the geology.
1585 I apologize.

1586 If I could just have the pool code, yes, please.

1587

1588 **FE Fordyce, Andrew, EMNRD 1:47:38**

1589 Pool code is, yeah, the pool code is 49553.

1590

1591 **PH Pecos Hall 1:47:47**

1592 Thank you.

1593

1594 **FE Fordyce, Andrew, EMNRD 1:47:51**

1595 Now I would like to move to page 20. It's the plat on the C102.

1596 The horizontal spacing unit is not depicted on this plan.

1597 Um...
1598 So we'll need to get that corrected also.
1599 I also had a question.

1600

1601 **PH Pecos Hall 1:48:18**

1602 Yeah.

1603

1604 **FE Fordyce, Andrew, EMNRD 1:48:22**

1605 regarding the C102s, actually for the approved APDs that I looked at for the Turkey
1606 Trot 525H and 527H. In APDs, those C102s are actually showing the spacing units to
1607 be
1608 The entire.
1609 South half of sections 32 and 33, 599.4 acres. So I was just curious if
1610 Which was correct? Is Newborn planning to submit a change of plans to their APD to
1611 correct a spacing unit or?
1612 For these two.
1613 Cases and wells meant to be combined with an NSP request.
1614 Ms. Green, did you understand the question?
1615

1616 **PG Peyton Greene 1:49:30**

1617 Yes, sir. I believe our plan is to...
1618 Drill these with standard spacing, and therefore we will.
1619 most likely file an amended C102 with our APD.
1620

1621 **FE Fordyce, Andrew, EMNRD 1:49:47**

1622 Okay.
1623 Let's move to page 21.
1624 Um...
1625 This portion of exhibit C3.
1626 It shows that.
1627 The interest ownership in track three is Newborn Oil and Oxy USA.
1628 If we scroll down to page 22,
1629 It shows in track 3 newborn oil and Magnum Hunter.
1630 So there's a discrepancy there that needed, not sure which one is correct and which

1631 one needs to be corrected, but there is a discrepancy there.

1632 Is it in fact Magnum Hunter in Track 3?

1633

1634 **PG Peyton Greene** 1:50:48

1635 Yes, sir, I believe it is Magnum Hunter. I will have to review notes and we can also file
1636 that with our amended exhibits.

1637

1638 **FE Fordyce, Andrew, EMNRD** 1:50:59

1639 Okay, let's...

1640 Continue scrolling down onto page 23.

1641 In this commitment table.

1642 Um...

1643 For this particular spacing unit.

1644 It shows that EOG resources is assigned to JOA.

1645 But they don't appear to own an interest.

1646 in the north half, south half spacing unit for this 525H.

1647 If I've read through your exhibits above correctly, EOG is not an interest owner in this
1648 spacing unit. So we'll need to correct that.

1649

1650 **CC Charles Crosby** 1:51:44

1651 Yes.

1652

1653 **FE Fordyce, Andrew, EMNRD** 1:51:48

1654 Um...

1655 The next thing I was going to ask about, Miss Vance already addressed, as to the
1656 notice for Burlington Resources as a record title owner. So there appeared to be
1657 A notice issue for that.

1658 And those, I believe, are all the questions I had for this case for the land land man. I
1659 have one question on this case for Mister Crosby.

1660 Um...

1661 on exhibit D3 on page 32.

1662

1663 **PH Pecos Hall** 1:52:33

1664 This.

1665

1666 **CC** Charles Crosby 1:52:38

1667 This is the cross-section.

1668

1669 **FE** Fordyce, Andrew, EMNRD 1:52:39

1670 Yes.

1671

1672 **CC** Charles Crosby 1:52:41

1673 Okay.

1674

1675 **FE** Fordyce, Andrew, EMNRD 1:52:44

1676 I'm seeing what appears to be an error.

1677 For the legal descriptions for the wells that are at A&A prime.

1678 that SST too well.

1679 Um...

1680 is actually in unit letter B of section 66 in 19 South and 29 East.

1681

1682 **PH** Pecos Hall 1:53:02

1683 Yes.

1684

1685 **FE** Fordyce, Andrew, EMNRD 1:53:08

1686 And for a prime, that government will.

1687 is not in 16 East. It's actually in unit letter O, section 33, 18 South, 29 East. I was

1688 wondering if we could get that corrected.

1689

1690 **PH** Pecos Hall 1:53:18

1691 T.

1692

1693 **CC** Charles Crosby 1:53:28

1694 Yes, sir, that's just a relic of the geographics program can cause an error in the title

1695 block on the cross section sometimes. I can refresh that and get that turned in

1696 quickly.

1697

1698 **FE** Fordyce, Andrew, EMNRD 1:53:42

1699 Um...

1700 I have a very similar list of questions for 26313.

1701 Um...

1702 The landman statement having the pool code listed incorrectly.

1703 The HSU not being depicted on the plat.

1704 Um...

1705 The question about notice to Burlington Resources.

1706 and a correction to the legals on exhibit D3.

1707 And those are all the questions.

1708 that I have for these two cases.

1709

1710 **PH Pecos Hall 1:54:25**

1711 Okay, so Mr. Fordyce, for this additional information that you require, do you want to
1712 do further review?

1713

1714 **FE Fordyce, Andrew, EMNRD 1:54:38**

1715 Um...

1716 Yeah, there's quite a few mistakes in these exhibits. And the question about notice to
1717 Burlington Resources, so I suggest we continue these two cases for further review.

1718

1719 **PH Pecos Hall 1:54:50**

1720 Okay. All right. So, Ms. Vance.

1721 A...

1722 Yeah, I had a feeling you were, I know what you're thinking already. The September
1723 15th DACA is getting busy, especially because you're going to be here for a
1724 contested hearing, as you know. But why, why not kill two birds with one stone? If
1725 Mister Fordyce is, I would just ask, now he seems to be on the hook, doesn't he? If he
1726 were open to that, I would make that request. Mister Fordyce, are you open?
1727 into that request.

1728

1729 **FE Fordyce, Andrew, EMNRD 1:55:25**

1730 Yes, Mr. Hearing Examiner, I guess I'm open to it since I will be participating on 915
1731 already.

1732

1733 **PH Pecos Hall 1:55:31**

1734 Exactly. All right. So again, same conditions, Ms. Vance. If you can get this in timely

1735 and Mr. Fordyce seems like he's going to be here, then you continue these cases to
1736 915 and we'll hopefully finish them up then.
1737 Thank you so much. All right, we're off the record in those two cases.
1738 We're only on number 17, it seems. This is Permian Resource Operating, 26314. Yes,
1739 Jackie McLean on behalf of Permian Resources Operating. And also I just want to say
1740 after I present this one, we can go back to that MRC. Excellent. Thank you. And I
1741 don't think there's any other parties. There is not. Go right ahead. Thank you. In this
1742 case, Permian Resources is seeking to pool all uncommitted interest in the Bound
1743 Spring formation.
1744 underlying A 950.68 acre more or less standard overlapping spacing unit comprised
1745 of the north half of sections 28 and 29 and irregular section 30 and Township 18
1746 South range 31 East in Eddy County and will dedicate this spacing unit to the Barbara
1747 Wells.
1748 Exhibits were timely submitted and include the land testimony and corresponding
1749 exhibits of Logan Cooksey. He has not previously testified, so if there are questions,
1750 we would ask that he be admitted as an expert. And that's your land man? Correct.
1751 Okay. And then we also have geology testimony exhibits from Chris Canton. He has
1752 previously testified before the division.
1753 Finally, we include our notice testimony and copies of the notice letter, which was
1754 sent on July 13th, 2026, as well as an affidavit of publication from July 22nd, 2026.
1755 With that, I ask that the exhibits be admitted for case number 26314 and that the
1756 case be taken under advisement.
1757 The exhibits are admitted without exception. We do have questions for your land
1758 man, so let's get Mr. Cook C's camera on. Thank you. I see you, sir. Please raise your
1759 right hand. You swear or affirm under penalty of perjury. The testimony you're about
1760 to give is the truth, the whole truth, and nothing but the truth.

1761

1762 **LC Logan Cooksey 1:57:46**

1763 I do.

1764

1765 **PH Pecos Hall 1:57:47**

1766 All right, did you provide a CV? Yes, it is exhibit A1. Can you pull it up on the screen?

1767 Thank you.

1768 This may be faster for me just to look at it.

1769 You know what, I did fail to connect to the meeting this morning. I forgot to do that.

1770 Miss Hardy can pull it up for us really quick. Sorry, I completely missed that step.
1771 26314. Someone, someone can get on there. I had to make a call because of another
1772 case and got distracted.
1773 Okay, and it is page 8 of the exhibit packet.
1774 Thank you. Thank you. Let me just review this. Mr. Cooksey, did you draft this
1775 document?

1776

1777 **LC Logan Cooksey 1:58:53**

1778 Yes.

1779

1780 **PH Pecos Hall 1:58:54**

1781 All right, thank you. Is it accurate?

1782

1783 **LC Logan Cooksey 1:58:56**

1784 Yes.

1785

1786 **PH Pecos Hall 1:59:16**

1787 Okay, Mr. Cooksey, thank you. You are hereby qualified as an expert in petroleum
1788 land matters. Before this division, Mr. Fordyce.

1789

1790 **FE Fordyce, Andrew, EMNRD 1:59:27**

1791 Mr. Cooksy, if we could start, let's go to.

1792 Page 16.

1793 which is a plat for...

1794

1795 **PH Pecos Hall 1:59:35**

1796 Will you share your screen?

1797 I got it. Okay. I'm just almost done.

1798

1799 **FE Fordyce, Andrew, EMNRD 1:59:48**

1800 So page 16 is a plat on one of these on C102 for one of the wells.

1801

1802 **LC Logan Cooksey 1:59:49**

1803 Okay.

1804

1805 **PH Pecos Hall** 1:59:49

1806 Stop.

1807

1808 **LC Logan Cooksey** 1:59:51

1809 Yes, sir.

1810

1811 **FE Fordyce, Andrew, EMNRD** 1:59:56

1812 Um...

1813 So the spacing units in section 28, 29 and 30.

1814 And.

1815 is looking at the division's pool maps.

1816

1817 **PH Pecos Hall** 2:00:08

1818 Okay.

1819

1820 **FE Fordyce, Andrew, EMNRD** 2:00:13

1821 I'd like to inform you that sections 29 and 30.

1822 are actually not in the Sugar Bone Spring pool.

1823 So, we're going to need to have corrections to the CPAC and the C102 to adjust for

1824 the fact that sections 29 and 30 are in a different pool. Section 28 is in the Sugar

1825 Bone Spring pool that was identified in the exhibits.

1826

1827 **PH Pecos Hall** 2:00:45

1828 ****.

1829

1830 **FE Fordyce, Andrew, EMNRD** 2:00:46

1831 So, it 29 and 30 are actually actually the Sugar Bone Spring North Pool.

1832 And that pool code is 56405.

1833

1834 **PH Pecos Hall** 2:01:00

1835 56405.

1836

1837 **FE Fordyce, Andrew, EMNRD** 2:01:03

1838 Correct.

1839

1840 **PH Pecos Hall** 2:01:04

1841 Okay.

1842

1843 **FE Fordyce, Andrew, EMNRD** 2:01:08

1844 Um...

1845 I would like to go to page 5.

1846 So...

1847 part of the land man statement.

1848 And I would like to talk about paragraph 8 for a little bit.

1849 So these are the overlapping wells that are partially overlapping wells with the
1850 spacing unit that were described. So I'll start by saying that A is correct.

1851 And if we go to...

1852 Section B of paragraph 8, the Api in B, ending in 5, 5, 2, 3, 2.

1853 actually belongs to the silver 132 H.

1854 Silver 2928 Fedcom 132 H.

1855

1856 **PH Pecos Hall** 2:02:06

1857 Please.

1858

1859 **FE Fordyce, Andrew, EMNRD** 2:02:07

1860 Um...

1861

1862 **LC Logan Cooksey** 2:02:07

1863 There are there are sundries in place that are correcting what is shown on the OCD to
1864 match what is what we presented here.

1865

1866 **FE Fordyce, Andrew, EMNRD** 2:02:20

1867 Okay, I was not aware of that.

1868 Um...

1869 If you're, so you're saying you're changing some well names, and if you have some
1870 resubmitted for that.

1871

1872 **LC Logan Cooksey** 2:02:32

1873 Yes, sir.

1874

1875 **FE Fordyce, Andrew, EMNRD 2:02:34**

1876 Okay.

1877 So looking, I guess, discussing these overlaps, and I was a little confused because

1878 four of them do not match the APIs. It looks like the 122H mentioned in F is was

1879 spud.

1880 July of 24 and drilling was never completed. When I did my research, the 141 agent E,

1881 that well did not exist. But what you're saying is there's been some sundry work to try

1882 to change well names.

1883

1884 **LC Logan Cooksey 2:03:13**

1885 Yes, sir, there were.

1886 Yes, so there were multiple sundries. I think there's only one well that stayed, that its

1887 permitted name matched its as drilled name. Some silvers changed to Long John,

1888 and then the numbers changed as well.

1889

1890 **FE Fordyce, Andrew, EMNRD 2:03:27**

1891 Okay. Well, with that being said, maybe let's refer back to my previous statement

1892 about

1893 There being a discrepancy with the pool, so...

1894

1895 **PH Pecos Hall 2:03:43**

1896 You.

1897

1898 **FE Fordyce, Andrew, EMNRD 2:03:44**

1899 It seems as though premium resources may need to also address. There are 12 APD

1900 submitted for those long john and silver wells that are all identified as being in and

1901 have acreage assigned to them in that sugar bone spring pool.

1902

1903 **PH Pecos Hall 2:03:59**

1904 Yes.

1905

1906 **FE Fordyce, Andrew, EMNRD 2:04:06**

1907 And that will need to, you know, permit will have to correct that for the information I

1908 just supplied about sections 29 and 30 actually being in a different pool, the Sugar

1909 Bone Spring North. So
1910 For me, you can do a little research on that and file some corrections as well.
1911 If that makes sense.

1912

1913 **LC Logan Cooksey 2:04:31**

1914 Yes, sir.

1915

1916 **FE Fordyce, Andrew, EMNRD 2:04:34**

1917 Okay.

1918 I'd like to go to page twenty-three.

1919 In the unit recapitulation.

1920 It indicates that.

1921 BEXP2 Omega and Alpha have signed a JOA.

1922

1923 **LC Logan Cooksey 2:04:57**

1924 Yes.

1925

1926 **FE Fordyce, Andrew, EMNRD 2:04:59**

1927 Um...

1928 If we scroll down to page 25,

1929 It says that there are contractual interest being pulled.

1930 From those two entities, so...

1931 I was a little confused and looking for an explanation in terms of if they've signed a

1932 JOA, what other interest would be being pulled for those entities?

1933

1934 **PH Pecos Hall 2:05:25**

1935 So.

1936

1937 **LC Logan Cooksey 2:05:32**

1938 That's just an error on that page that contractual interest to be pulled should have

1939 been removed. We originally didn't have a JOA assigned and along the way through

1940 the pooling process have gotten that done.

1941

1942 **FE Fordyce, Andrew, EMNRD 2:05:45**

1943 Okay, so we'll get that corrected. Let's go to page 55.

1944

1945 **PH Pecos Hall** 2:05:48

1946 Oh my god.

1947

1948 **FE Fordyce, Andrew, EMNRD** 2:05:53

1949 The commitment table.

1950 If we find BEXP2 alpha and omega on this table, it says that they're uncommitted.

1951

1952 **PH Pecos Hall** 2:06:04

1953 Yeah.

1954

1955 **LC Logan Cooksey** 2:06:05

1956 Yes, that should have been updated to say committed along with removing it from
1957 the previous page you had pointed out.

1958

1959 **FE Fordyce, Andrew, EMNRD** 2:06:14

1960 Um...

1961 If you look at that commitment table 2 for another party.

1962 CB plus KW Investments.

1963

1964 **LC Logan Cooksey** 2:06:25

1965 Yes.

1966

1967 **FE Fordyce, Andrew, EMNRD** 2:06:27

1968 It says they've executed a JOA.

1969 But if we go back to the previous page.

1970

1971 **LC Logan Cooksey** 2:06:31

1972 That's accurate.

1973

1974 **FE Fordyce, Andrew, EMNRD** 2:06:38

1975 should be.

1976 23 again in the unit recapitulation.

1977 It shows them as a pool party.

1978

1979 **LC Logan Cooksey 2:06:54**

1980 Yeah, they should. They're not a pool party. They're not committed to the unit.

1981

1982 **FE Fordyce, Andrew, EMNRD 2:07:00**

1983 Okay.

1984 Think that about...

1985

1986 **LC Logan Cooksey 2:07:07**

1987 And if my memory serves me correct, that came in after we had a chance to submit
1988 these exhibits. So that was a change after we sent this in.

1989

1990 **FE Fordyce, Andrew, EMNRD 2:07:16**

1991 I think that's the end of the list of my questions for Mr. Cooksey, but we're going to
1992 need corrections to the CPAC and the C102 for the two pools. We're also going to
1993 need corrections to the
1994 unit recapitulation exhibit and the commitment table.

1995

1996 **PH Pecos Hall 2:07:38**

1997 We can, we can do that.

1998 All right. I know Mr. Fordyce wants to do further review once this is filed. Is that
1999 something that can be done by the 15th?

2000

2001 **LC Logan Cooksey 2:07:53**

2002 Yes.

2003

2004 **PH Pecos Hall 2:07:55**

2005 Yes. So for us to come on the 15th, I just want to make sure that

2006 Yes, I think we're going to be watching the Fed Chancer case, so we'll be here. All
2007 right. So, Miss McLean, why don't you continue this case to the 15th? And as long as
2008 you are able to timely file your amended exhibit packet with cover letter,

2009 We will try to finish this case on the 15th. Okay, we will do that. All right. Thank you,

2010 Mr. Thank you, Mr. Fordyce. Thank you, Mr. Cooksey. Did you want to go back to that

2011 MRC case? Yes, thank you for reminding me. I've already forgotten it. So let me recall

2012 the case number. This is 26058.

2013 Good morning, Mr. Hearing, Examiner Paula Vance with the Santa Fe Office of
2014 Holland and Hart on behalf of the applicant, MRC Permian Company, Matador
2015 Production Company. Thank you. And Jackie McLean on behalf of New Bern and
2016 Permian Resources. And we were able to check with our client and there is no
2017 objection. Excellent. Thank you. So, Miss
2018 Um...
2019 Notice. Okay, so I think that was the only issue we had, Ms. Vance. So I think we can
2020 take this case under advisement. Is that correct, Mr. Fordyce?

2021

2022 **FE Fordyce, Andrew, EMNRD 2:09:13**

2023 That is correct, Mister.

2024

2025 **PH Pecos Hall 2:09:15**

2026 All right, excellent.

2027 Thank you. All right, that case is finished. Thank you, Miss Vance, Miss McLean. All
2028 right.

2029 Let's move on to Mewbourne Oil number 18 on the dock at 26323. Mr. Examiner,
2030 Dana Hardy with Hardy McLean on behalf of Mewburn, and there are no other
2031 parties. Go right ahead, Mrs. Hardy. Thank you. Mewburn seeks to pool uncommitted
2032 interest in the Wolf Camp underlying A 480 acre more or less standard horizontal
2033 unit.

2034 comprised of the south half of Section 34 and the southwest quarter of Section 35,
2035 attach of 23 S, range 26 E at Eddy County, and will dedicate the unit to the Merlin
2036 3435 Fedcom Wells. Our exhibits include the land testimony and exhibits of Brad
2037 Dunn, who's previously testified as an expert in land matters,
2038 and we provided the geology testimony and exhibits of Tyler Hill, who has previously
2039 testified as an expert in petroleum geology matters. Our notice information shows
2040 that notice was timely provided by certified mail on July 9th and that we timely
2041 published on July 15th. With that, unless there are questions, I ask that the exhibits
2042 be admitted and that the case be taken under advisement.

2043 They're admitted and it's taken under advisement. Thank you. Thank you. Let's move
2044 on now to Avant operating 26331.

2045 Good morning, Mr. Hearing Examiner. Jeffrey Goodwin with Module Sperling. I'm
2046 here on behalf of Avant operating 2 LLC and no other parties have entered an
2047 appearance in this case. And did you say Jeffrey Goodwin? Yes, Goodwin. Go right

2048 ahead, Mr. Goodwin. Avant seeks to pool uncommitted interest owners in a Cisco
2049 spacing unit comprised of the south half of Section 12.
2050 And all of Section Thirteen.
2051 Township 18 South, range 34 East in Lee County, New Mexico, and will dedicate the
2052 unit to the Salini 1213 wells. Avant has timely filed the standard suite of exhibits,
2053 including the self-affirmed statement of Sophia Guerra, a land representative who
2054 has previously testified before the division and whose credentials have been
2055 accepted as a matter of record.
2056 The self-affirmed statement of John Harper, a geologist who has previously testified
2057 before the division and whose credentials have been accepted as a matter of record.
2058 And the self-affirmed statement of Dean Bennett, showing that notice was timely
2059 mailed on July 14th, 2026, and publication was timely on July 16th, 2026.
2060 There are a couple of clarifying points I'd like to bring up at the outset, if that's okay.
2061 Firstly, there is no pool or pool code as of yet. We are waiting for the division to
2062 assign a pool and pool code. And secondly, while it might appear at first glance that
2063 the first takepoints are non-standard,
2064 In reality, this is a slightly irregular section, and so the first take points are actually
2065 standard. I can go into more detail on that if you would like, or show you on the
2066 C102 plat maps. But with that, Ivan asks that the exhibits in case number 26331 be
2067 admitted into the record.
2068 and the case be taken under advisement. Myself and the witnesses are available if
2069 there are any questions. Mr. Goodwin. The exhibits are admitted without exception.
2070 Mr. Fordyce.
2071 What would you, how do you want to proceed?

2072

2073 **FE Fordyce, Andrew, EMNRD 2:12:36**

2074 I just have a request for council, Mr. Goodwin.

2075 These wells actually have approved APDs.

2076 And A wildcat pool name and code has been assigned.

2077 If we could add that pool name and code to the CPAC and resubmit it in the exhibits
2078 so that it's documented.

2079 That would be my request.

2080

2081 **PH Pecos Hall 2:13:05**

2082 Go right ahead, Mister Fortes. You want to give me the information?

2083

2084 **FE Fordyce, Andrew, EMNRD 2:13:10**

2085 I can or I know I have Miss Bennett's e-mail if she want, if it's easier to just e-mail it
2086 because it's one of those funky long string of letters and numbers and dashes and so
2087 on and so forth.

2088

2089 **PH Pecos Hall 2:13:14**

2090 Oh, okay.

2091 Okay.

2092 All right, Mr. Fordyce, that's agreeable to council. So the APDs, you're going to find
2093 the APDs.

2094 We can find the APDs. And if the pool and pool code is listed on the APDs, we can
2095 just get it that way, Mr. Fordyce. But if you'd also like to e-mail it to us, that's
2096 completely workable as well.

2097

2098 **FE Fordyce, Andrew, EMNRD 2:13:44**

2099 Either way, if you wanna look him up, that will be fine.

2100

2101 **PH Pecos Hall 2:13:47**

2102 Okay, we can look them up and we can file before 5. So we'll leave the record open
2103 until 5 P.m. and then we'll take this case under advisement. Thank you, Mr. Goodwin.
2104 Okay, let's move on to EOG Resources 26334. Good morning, Mr. Examiner, Dina
2105 Bennett on behalf of EOG Resources, and there are no other parties that have
2106 entered an appearance.

2107

2108 **FE Fordyce, Andrew, EMNRD 2:13:49**

2109 Thank you.

2110

2111 **PH Pecos Hall 2:14:08**

2112 right ahead, Ms. Bennett. Thank you. This is a case of the first of its kind, I think. So
2113 we're ready for questions or comments from the division on our exhibits. None. In
2114 this case, EOG is seeking A deviation from a previously approved order. In the
2115 materials that we filed, we included the self-affirmed declaration of Mr. James Barwis,
2116 who's previously testified and his credentials have been accepted.
2117 accepted as a matter of record. We also included my self-affirmed statement

2118 showing that notice was timely given, both notice letters and publication. And if
2119 there are no questions, I would ask that the exhibits in case 26334 be admitted into
2120 the record and the case taken under advisement. Admitted without exception and
2121 taken under advisement. Thank you. Ms. Bennett. Okay, let's move on to Marathon
2122 Oil.

2123 Okay, so we're not actually calling this case. It was late filed and it was not reviewed.
2124 So I'm assuming it's Miss Vance's case. It is Miss Vance. It is Miss Vance's case. Okay.
2125 Miss Vance, let me first check with Mr. Fordyce. Mr. Fordyce, if Miss Vance moves,
2126 continues this case to September 15, would that give you time?
2127 To review it.

2128

2129 **FE Fordyce, Andrew, EMNRD 2:15:20**

2130 That will be fine, Mr. Hearing examiner.

2131

2132 **PH Pecos Hall 2:15:23**

2133 Thank you for letting me impose Mr. Fordyce and Ms. Vance. If you'll continue this
2134 case, we do have your exhibits filed so we can review them for September 15th.
2135 Thank you. All right. Thank you. Moving on. Let's move on to some cases that I think
2136 are going to move much.

2137 We have COG Operating LLC 263464748. Mr. Examiner Dana Hardy with Hardy
2138 McLean on behalf of COG Operating. Go right ahead, Ms. Hardy. Thank you. In these
2139 cases, COG seeks to pull interest in both the Bone Spring and Wolf Camp formations.
2140 There are three companion cases.

2141 These units will be dedicated to the Wimble Federal Comm Wells. Our exhibits
2142 include the land testimony and exhibits of Caroline Frederick, who's previously
2143 testified and been recognized as an expert in land matters. We have provided the
2144 geology testimony and exhibits of Preston Dupree, who has also been recognized as
2145 an expert.

2146 and in petroleum geology matters. Our notice information shows that we timely sent
2147 notice by certified mail on July 17th and then timely published on July 23rd. With
2148 that, unless there are questions, I ask that the cases be taken under advisement and
2149 that the exhibits be admitted. Admitted without exception, taken under advisement.
2150 Thank you. Thank you. Let's move on to number 25. This is EOG Resources.

2151 Good morning, Mr. Hearing Examiner Paula Vance with the Santa Fe office of Holland
2152 and Hart on behalf of the applicant, EOG Resources. Thank you. And I don't believe

2153 that there are any other. I agree. If you give me just one second. Sorry, I have a lot of
2154 cases.

2155 All right. Thank you.

2156 So in this case, EOG resources, well, it's a little bit, I guess I should back up. It's a little
2157 bit unique. So in the fact that EOG is seeking to pool leasors whose lease instruments
2158 do not authorize pooling more than 40 acres for oil wells. So you'll notice in the, and
2159 I'm sure Mr. Fordyce having reviewed the hearing packet,
2160 saw that we did not include well proposals or AFEs and we're not EOG is not
2161 requesting any risk charge in for these for this application. So in this case, it is
2162 pooling those particular interests that I've just outlined in a 640 acre more or less
2163 spacing unit and that is all in section 24 or it is all
2164 Section 24, Township 24 South, Range 33 East, and that's Lee County, New Mexico.
2165 We have, this is a non-standard spacing unit, and the NSP has been applied for
2166 separately. EOG is initially dedicating that spacing unit to the Ganymede 24.
2167 for Federal Comm 106H, 107H, 206H, and 207H. We have included the statements of
2168 our land man, James Barwis, and then our geologist, Tara George, both of whom
2169 have previously testified before the division and their credentials have been accepted
2170 as a matter of record.

2171 We have included the required sub exhibits for both the case for the for both our
2172 experts and then our myself affirmed statement of notice. I think it was mine. Should
2173 be. It might be it might be Adam's. And the notice letter that was included that was
2174 timely on July 17th, 2026 in the affidavit of notice of public
2175 location on July 19th, 2026. And unless there are any questions, I would ask that the
2176 exhibits and sub-exhibits be admitted into the record and that this case be taken
2177 under advisement. Admitted without exception, taken under advisement. Thank you,
2178 Ms. Vance. Thank you. Let's move on to Marathon Oil Permian. Looks like we have
2179 two six.

2180 Good morning, Mr. Hearing Examiner Paula Vance with the Santa Fe office of Holland
2181 and Hart on behalf of the applicant, Marathon Oil Permian. And again, you give me
2182 just 10, I don't know, 5 seconds. Let's take a two-minute break and we'll be back on
2183 the record.

2184 All right, we're back on the record. It is 1026 A.m. and Ms. Vance is prepared to
2185 proceed. Thank you. So these should be pretty quick. In both of these cases,
2186 Marathon is seeking to pool an additional uncommitted interest owner.
2187 We have included our land man statement from Shelly Klingler, who has previously

2188 testified before the division, and her credentials have been accepted as a matter of
2189 record. All of the required sub-exhibits, it's just one interest owner. And then the self-
2190 affirmed statement of notice, along with the sample copy of the letter notice that
2191 was timely, as well as the affidavit of notice of publication.

2192 So unless there are any questions, I would ask that the exhibits and sub-exhibits be
2193 admitted into the record and that the cases be taken under advisement. Admitted
2194 without exception, taken under advisement. We're going to move on now to Permian
2195 Resource operating case 26366 and 67. Yes, Jackie McLean with Hardy McLean on
2196 behalf of Permian Resources. Thank you.

2197 And I believe we had one other entry from yes, Matador.

2198 Holland and Hart. Yes. Just letting Miss Vance can bring her hats up. We're cuing you,
2199 Miss Vance. Thank you. Paula Vance with the Santa Fe office of Holland and Hart on
2200 behalf of Matador Production Company. And your position? We are just monitoring.
2201 Thank you. Miss McLean. Yes, thank you. In case number 26366,

2202 Permian Resources is seeking to pool additional interest under the terms of division
2203 order number R24110. And in case number 26367, Permian Resources is seeking to
2204 pool uncommitted interest in the Wolf Camp Formation underlying A 966.67 acre
2205 more or less standard horizontal spacing unit comprised of the north half equivalent
2206 of a regular section 7 and Township 19 South, range 28 East, and the north half of
2207 sections 11 and 12, Township 19 South, range 27 East in Eddy County.

2208 and we'll dedicate this to the Alpine Eagle 711 State Com 202H Well. We submitted
2209 exhibits for both cases last week, and for 26366, it is just the land exhibits and
2210 testimony.

2211 from Adam Rieker, who has previously testified before and has been recognized as
2212 an expert in petroleum land matters. And in 26367, since it's a new pooling, we have
2213 both land and geology exhibits. For both cases, we sent out notice on July 17th,
2214 2026,

2215 and published on July 22nd, 2026. And I ask that the exhibits be admitted for case
2216 numbers 26366 and 67 and that the cases be taken under advisement. The exhibits
2217 are admitted without exception. Case 2366, 26366 is taken under advisement.

2218 We have an amendment for you for the CPAC and the C102, which I believe you can
2219 fix by 5 P.m. I'm sure we can. I'm sure you can. If you just let me know what it is. Mr.
2220 Fordyce.

2221

2222  **Fordyce, Andrew, EMNRD** 2:26:58

2223 Yes, on the CPAC on page three, it says that in the spacing unit section, it says that
2224 the building blocks are half sections. This is not a pool. It's under special pool rules.
2225 It's the Millman Wolf Camp West Gas Pool. So the building blocks are quarter
2226 sections.
2227 And on the plat of the C102 on page 13, the HSU has not been depicted on the plat.
2228 I don't think that we need to call the land man to see if he can fix that for us, but
2229 those are the two corrections I'm requesting for this case.

2230

2231 **PH Pecos Hall 2:27:39**

2232 Yeah, we can do that. Okay. Then we'll leave the record open to 5 P.m. and we will
2233 take 26367 under advisement at that time with a cover letter and amended exhibit. I
2234 just want to really quick correct the entity name. It's MRC Delaware Resources LLC.
2235 Thank you. Your client.

2236 Correct. Okay, thank you. All right, we're off the record in those two cases. Let's move
2237 on to Avant Operating 26369. Good morning, Mr. Examiner, Dina Bennett on behalf
2238 of Avant Operating 2. Good morning. And Mr. Examiner, Dana Hardy with Hardy
2239 McLean on behalf of PBEX Operations, and we are just monitoring this case. Perfect.
2240 Thank you, Miss Hardy.

2241 All right, Miss Bennett. Thank you. In this case, Avon operating seeks an order from
2242 the division pooling all uncommitted mineral interests in a spacing unit comprised of
2243 the south half of Section 24 and all of Section 25 in Township 17 South, range 35 East
2244 in the Penn slash Cisco formation. And we
2245 timely filed exhibits, including the usual suite of exhibits, the land exhibits from
2246 Sophia Guerra, who's previously testified, and the geology exhibits from John Harper,
2247 who's also previously testified, and both of those, both of whom's credentials have
2248 been accepted as a matter of record. And we also filed my self-affirmed declaration
2249 showing that notice was timely.

2250 mailed on July 16th and the affidavit of publication was timely done on July 21st. And
2251 so with that, I would ask that the exhibits in case number 26369 be admitted into the
2252 record and the case be taken under advisement. Admitted without exception taken
2253 under advisement. Thank you, Ms. Bennett. Thank you. Let's move on to number 31
2254 on the docket. I guess

2255 There are three cases here, COG Operating 263707273. Correct. Good morning, Mr.
2256 Hearing, Examiner Paula Vance with the Santa Fe office of Holland and Hart on

2257 behalf of the applicant, COG Operating LLC. I think there's no other party, so please
2258 go ahead.

2259

2260 **FE Fordyce, Andrew, EMNRD 2:29:36**

2261 Yes.

2262

2263 **PH Pecos Hall 2:29:40**

2264 Thank you. There's a bit of detail in each of these, so I'm gonna go through them
2265 individually. So they all involved, they all involve acreage in a regular section 2 in
2266 sections 11 and 14, Township 23 South, Range 32 East.

2267 Lee County, New Mexico, and involve pooling of the Bone Spring Formation. In all of
2268 the cases, COG is seeking to pool non-cost bearing interest, so overrides and record
2269 title owners. COG owns 100% of the operating rights in all of the acreage. So again,
2270 similar to the last case with EOG, there is no proposal or
2271 for AFE is included with the revised hearing packets. So for each case, I'll just go
2272 through them briefly. Case number 26370, COG is pooling. This is requesting A non-
2273 standard spacing unit approval of an NSP, and that is for a 959.23 acre
2274 spacing unit. And that consists of lots one through two, the south half of the
2275 northeast quarter and southeast quarter, which is the east half equivalent of a regular
2276 section 2 and the east half of sections 11 and 14. We included the required
2277 information in the CPAC since we are requesting an NSP in this case, as well as the
2278 additional exhibit and notice information in the land
2279 statement and sub exhibits. And in this particular case, COG is pulling a interval
2280 within the bone spring because there's a depth severance. So in this particular case,
2281 they're pulling the Avalon first bone spring and 2nd bone spring.

2282 And in the application land man statement, you as well as in the geology, there is
2283 some discussion of the depth severance and the specific vertical interval that is being
2284 pooled. And COG is initially seeking to dedicate the spacing unit to the red
2285 Tail Federal COM 302H, 303H, and 505H. And just to speak very briefly on approval
2286 for the NSP, this accommodates COG's well spacing for planned full development of
2287 this acreage. And it also accounts for the existing wells in this area that are that
2288 exist and are producing, and it aligns with their state land office CA approval. And
2289 then, sorry.

2290 Oh, and I did note we need to file a revised hearing packet for that because we
2291 included the list of notice parties in our sub-exhibit, and I'm happy to show that, but

2292 the tracking report was not added to that particular case, so we will file that and we
2293 can do that by 5 o'clock.

2294 And then in case number 26372, these include overlaps, or that includes an overlap
2295 as well. Again, this is pulling a specific interval, and that would be the second bone
2296 spring. And this involves pulling those uncommitted interests in a 479.6
2297 two acre spacing unit, and that is lot 2, the southwest quarter of the northeast
2298 quarter and west half of the southeast quarter. That would be the west half, east half
2299 equivalent of irregular section 2, and the west half of the east half of sections 11 and
2300 14. And then

2301 Oh no, give me one second, sorry. And that's dedicating that spacing unit to the
2302 initial red tail federal comp 503. And then lastly, in case number 26373, that
2303 particular interval that is being pulled is the first bone spring. And again, there is in
2304 the application and landman's statement and outlined in the
2305 the geology. It provides the specific pulled interval also referenced in all of the sea
2306 packs. And this involves a 959.23 acre spacing unit. And that consists of lots one and
2307 two, the south half of the northeast quarter and the southeast quarter,
2308 or the east half equivalent of irregular section 2 and the east half of sections 11 and
2309 14. And COG is initially dedicating that spacing unit to the federal or the red tail
2310 federal com 403H that is a proximity well. On all of these, we did include the overlap
2311 notice, but I did in both the pre-hearing statement and the land statement, we
2312 noticed an issue with the legal description
2313 for one of those overlaps. So we, COG, have discussed with them. They're going to
2314 go ahead and redo the notice of that separately. So, you know, we're not asking for
2315 approval here and dropping it. But we, since it was already in the application, we
2316 wanted to go ahead and provide that exhibit for the benefit of the division. We
2317 thought it was helpful also with that
2318 the first case that I talked about with approval of their NSP. So, and then we have
2319 included with all three cases, the statement or land man statement for Jess Ritter,
2320 who has previously testified and his credentials have been accepted as a matter of
2321 record. And then our geologist
2322 Ben Brayman, who has also previously testified, and his credentials have been
2323 accepted as a matter of record. We've included all the required sub-exhibits, and
2324 then in each of the cases, we've included a self-affirmed statement of notice with
2325 timely notice that was mailed on July 17th, 2026, and NOPs that were published
2326 all within the July 21st or 22nd, 2026. And unless there are any questions, I would ask

2327 that the exhibits and sub-exhibits be admitted into the record and that these cases
2328 be taken under advisement at this time. And we do have our experts available for any
2329 further questions. Your exhibits are admitted without exception. We do have
2330 questions for the land man.

2331 Would you call? Yes, Mr. Ritter.

2332 Mr. Ritter, please raise your right hand. Do you swear or affirm under penalty of
2333 perjury with testimony about to give is the truth to hold truth, nothing but truth?

2334

2335 **RB Ritter, Jess B 2:36:15**

2336 Yes.

2337 Yes, sir.

2338

2339 **PH Pecos Hall 2:36:23**

2340 Thank you, sir. Will you please spell your name?

2341

2342 **RB Ritter, Jess B 2:36:26**

2343 Jess. Jess. Ritter. Ritter.

2344

2345 **PH Pecos Hall 2:36:31**

2346 Okay, and you've been previously qualified as an expert in land matters before this
2347 division?

2348

2349 **RB Ritter, Jess B 2:36:36**

2350 Yes, sir.

2351

2352 **PH Pecos Hall 2:36:37**

2353 All right, thank you, Mr. Ford.

2354

2355 **FE Fordyce, Andrew, EMNRD 2:36:40**

2356 Mr. Hearing Examiner, I did have questions for the geologist too. I don't know if you
2357 wish to call him now or later.

2358

2359 **PH Pecos Hall 2:36:44**

2360 Ah.

2361 No, let's call him later.

2362

2363 **FE Fordyce, Andrew, EMNRD 2:36:48**

2364 Okay. Mr. Ritter, I'm looking at case 26370.

2365 I'm looking at your statement on page 11.

2366 I'm looking in paragraph 6.

2367 And specifically, I'm looking at the description of the overlap for the Redtail Fedcom

2368 602H. It is described incorrectly here. When I looked up this well, I found that it was

2369 in a 959 acre spacing unit.

2370 which is equivalent to the east half of irregular sections 2, 11, and 14.

2371 Not 640 in the west half, E half of those sections.

2372

2373 **RB Ritter, Jess B 2:37:42**

2374 Yes, sir. This is a part of the Scrivener's error we noticed and are going to amend later

2375 on and apply for the overlapping spacing units. I think administratively, but I can

2376 defer to Mrs. Vance on that.

2377

2378 **FE Fordyce, Andrew, EMNRD 2:37:42**

2379 Ohh.

2380 Also an exhibit C1 on page 14. If we could correct it there, it's shown incorrectly

2381 because it does cover section 2 as well in the east half.

2382

2383 **RB Ritter, Jess B 2:38:07**

2384 Yes, sir.

2385 We're on it.

2386

2387 **FE Fordyce, Andrew, EMNRD 2:38:11**

2388 Um...

2389 I believe those are the same questions.

2390 Or corrections, I was going to request from you, Mister, for the other two cases, if

2391 that's clear.

2392

2393 **RB Ritter, Jess B 2:38:25**

2394 Yes, sir.

2395

2396 **FE Fordyce, Andrew, EMNRD 2:38:27**

2397 Okay.

2398 Then I'm ready to ask the geologist for some questions, I believe.

2399

2400 **PH Pecos Hall 2:38:32**

2401 Okay. So before we lose the land man, are those are those modifications to the

2402 exhibits, are they possible to be submitted by 5:00 today?

2403

2404 **RB Ritter, Jess B 2:38:46**

2405 Yes.

2406

2407 **PH Pecos Hall 2:38:48**

2408 Okay, so for those issues, this won't hold those cases up.

2409 Great. Right. Okay. So let's now see about the geologist and if those issues are going

2410 to or not. You want to call your geologist? Yes, Mr. Braman.

2411

2412 **RB Ritter, Jess B 2:38:54**

2413 Thank you.

2414

2415 **BB Breyman, Ben 2:39:07**

2416 Yes, I'm here.

2417

2418 **PH Pecos Hall 2:39:11**

2419 Mm.

2420

2421 **FE Fordyce, Andrew, EMNRD 2:39:13**

2422 Mr. Braven, I'm looking at, oh, sorry, I got ahead of myself.

2423

2424 **PH Pecos Hall 2:39:15**

2425 Hold on, hold on, hold on, Mister. Thanks. Can you stop sharing your screen for just a

2426 moment?

2427 All right, there we go. Mr. Braman, please raise your right hand.

2428 Do swear or firm under penalty of perjury the testimony about to give is the truth,

2429 the whole truth, nothing but the truth.

2430

2431 **BB Breyman, Ben 2:39:28**

2432 ****.

2433 Yes.

2434

2435 **PH Pecos Hall** 2:39:35

2436 Thank you. Please spell your name.

2437 and you've been qualified as an expert before this division?

2438

2439 **BB Breyman, Ben** 2:39:47

2440 Yes, sir.

2441

2442 **PH Pecos Hall** 2:39:48

2443 In what field?

2444

2445 **BB Breyman, Ben** 2:39:50

2446 Geology.

2447

2448 **PH Pecos Hall** 2:39:51

2449 Thank you. Go right ahead, Mr. Fordyce.

2450

2451 **FE Fordyce, Andrew, EMNRD** 2:39:54

2452 Mr. Brayman, if I could direct your attention to exhibits D1 through D3, starting on
2453 page 38.

2454

2455 **PH Pecos Hall** 2:39:59

2456 Yeah.

2457

2458 **BB Breyman, Ben** 2:40:06

2459 Okay.

2460

2461 **FE Fordyce, Andrew, EMNRD** 2:40:16

2462 Yes, that's the one we'll start there. So

2463 These wells do not, well, the wells for case 26370302H303H504H. They do not
2464 penetrate section 14. That spacing unit only includes sections 2 and 11. So the
2465 exhibits

2466 D1 through D3 need to be corrected for this case.

2467

2468 **PH Pecos Hall** 2:40:47

2469 You.

2470

2471 **FE Fordyce, Andrew, EMNRD** 2:40:51

2472 If that makes sense, are you clear on that?

2473

2474 **BB Breyman, Ben** 2:40:53

2475 Yes, yes, I know, I know what you're asking. I can, I can take care of that.

2476

2477 **FE Fordyce, Andrew, EMNRD** 2:40:59

2478 Okay, for case 26372, again, it's making sure that the wells are properly described.

2479 And also I believe there's a discrepancy for showing the proposed HSU in that case.

2480 It's not the entire east half. In that case, it's just the west half or the east half.

2481 And for case 26373, a similar issue with these exhibits. In that case, it's basically

2482 showing that the 302H, 303H, 504H from case 26370, they do not penetrate.

2483 Section 14, if we could get those corrected, those are the corrections I'm asking for

2484 these geology exhibits.

2485

2486 **BB Breyman, Ben** 2:41:51

2487 Okay, yes, I can have that back by the end of business today.

2488

2489 **FE Fordyce, Andrew, EMNRD** 2:41:57

2490 Okay, and one last clarifying question for Ms. Vance. For 26370, I believe that you

2491 stated there's, I'm aware that there's no evidence of notice for the NSP, but you're

2492 just saying that that was not included, the tracking report for the NSP was not

2493 included, is that correct?

2494

2495 **PH Pecos Hall** 2:42:17

2496 Yes, it just inadvertently got left off, but the notice was completed and we'll add that

2497 to the revised hearing packet that we're going to file with these other corrections.

2498

2499 **FE Fordyce, Andrew, EMNRD** 2:42:27

2500 Okay, thank you.

2501 I have no other questions for these three cases.

2502

2503 **PH** **Pecos Hall** 2:42:33

2504 All right, so Ms. Vance, it sounds to me like all these corrections can be made by 5

2505 P.m. Correct. If you could.

2506

2507 **AN** **Angelle, Nicholas** 2:42:40

2508 at 5pm. Correct. If you could.

2509

2510 **PH** **Pecos Hall** 2:42:45

2511 If you can do that.

2512

2513 **AN** **Angelle, Nicholas** 2:42:46

2514 If you.

2515

2516 **PH** **Pecos Hall** 2:42:49

2517 then we'll leave the record open till 5pm.

2518 Yes, please. Then we're off the record in these three cases. Thank you. I'm going to

2519 call one case out of order. Miss Hardy, it is your case. Right now it's number 44 on

2520 our docket, but because Mr. Ford, oh, Miss McLean, but because Mr. Fordyce is the

2521 technical examiner for this case,

2522 And has already reviewed the...

2523

2524 **AN** **Angelle, Nicholas** 2:43:15

2525 The.

2526

2527 **PH** **Pecos Hall** 2:43:17

2528 exhibits in this case, I'm calling it out of order. So this is 26169 Earthstone entries of

2529 appearance, please. Yes, Jackie McLean with Hardy McLean on behalf of Earthstone

2530 Operating. Thank you. Good morning, Mr. Hearing Examiner Paula Vance with the

2531 Santa Fe office of Holland and Hart.

2532 On behalf of Marathon Oil Permian, we objected to.

2533

2534 **AN** **Angelle, Nicholas** 2:43:42

2535 We.

2536

2537 **PH Pecos Hall** 2:43:44

2538 I don't know why we're getting weird feedback, but sorry, I find that very distracting. I
2539 do too. We filed an objection, but we plan to withdraw that objection. Okay. Thank
2540 you, Miss Vance. Can you tell me one thing, Miss Vance?
2541 You've known about this case for quite some time, is that correct?
2542 We have been monitoring on behalf of Marathon, yes.
2543 Well, according to the exhibits filed in this case by Ms. McLean, and I'm looking at
2544 the contact chronology, it looks like Earthstone and Marathon have been discussing
2545 this case since February 17th of 2026.
2546 If that's what it says, then that is, I will say that, sure, that's what it says. So why did
2547 you file an objection days before this case was going to a hearing by affidavit? My
2548 understanding is that the parties are finalizing, working on an agreement, and the
2549 hope was attached.
2550 have a little bit of extra time. And it seems that that has not been able to happen.
2551 And so to, you know, try to have appropriate time to finalize the agreement between
2552 the parties, we were hoping that
2553 we'd be able to have a continuance. Okay, all right. And Ms. McLean, as far as I
2554 understand,
2555 The proposals were sent out in, it looks like April. The case was filed May 5th with the
2556 division. It's been continued multiple times.
2557 there was one continuance too many, basically. And so that's why we didn't grant the
2558 continuance. We wanted to find out what's going on with this case, because until the
2559 last minute objection, there was no objection and there were just continuances. So
2560 what's your perspective on the case? We have been ready to go. We were asking for
2561 the continuances at the request of Marathon and to
2562 you know, try and get the deal done. But we are happy to hear by to present by
2563 affidavit today. We had filed all of our exhibits and everything so that we could do
2564 that. So we're ready to go. Right. Okay, well, we have an objection, so we can't go. I
2565 think I believe that they have withdrawn the objection. Oh, I didn't hear that.
2566 Yes, I'm verbally withdrawing the objection. We'll file that later today. Oh, I didn't
2567 hear you the first time. Okay, my mistake. Mr. Fortes, are you ready to proceed with
2568 this case?

2569

2570 **FE Fordyce, Andrew, EMNRD 2:46:41**

2571 Yes, Mr. Hearing, examiner.

2572

2573 **PH Pecos Hall 2:46:43**

2574 Okay, very good. Okay, Miss McLean, go right ahead. Thank you. In this case, our
2575 student is seeking to pull uncommitted interest in the first bone spring interval in a
2576 644.37 acre standard overlapping horizontal spacing unit.

2577

2578 **FE Fordyce, Andrew, EMNRD 2:46:48**

2579 Yeah.

2580

2581 **PH Pecos Hall 2:47:06**

2582 And we'll dedicate this to the squeeze to State Comm Wells. Exhibits were timely
2583 submitted last week, and I include the land testimony and corresponding exhibits of
2584 Reagan Armstrong, who has previously testified before the division. And the
2585 testimony we submitted is from
2586 Cole Hendrickson, but Shane Jarvie will be available for questions today. He has also
2587 been admitted and recognized as an expert in petroleum geology matters. And we
2588 included our notice testimony and notice letter, which was sent way back in May.
2589 and we published in May as well. And I ask that the exhibits be admitted for case
2590 number 26169 and that the case be taken under advisement. Ms. Vance, any
2591 objections to the exhibits? No. Thank you. Exhibits are admitted without exception.
2592 Mr. Fordyce, we didn't discuss this case in depth.
2593 as we normally do. Do you have any questions for either witness in this case?

2594

2595 **FE Fordyce, Andrew, EMNRD 2:48:09**

2596 Mr. Hearing Examiner, there, it needs to be a correction to the CPAC and to the
2597 C102s related to the fact that the spacing unit is in two pools.

2598

2599 **PH Pecos Hall 2:48:24**

2600 OK, it sounds like something you can do, right? Yes. It's a theme for us today. Mr.
2601 Fortes, do you want to e-mail Miss McLean that information so that there's no
2602 mistakes in letters or numbers?

2603

2604 **FE Fordyce, Andrew, EMNRD 2:48:24**

2605 Um...

2606 It's pretty straightforward that we can. So what?

2607

2608 **PH Pecos Hall 2:48:40**

2609 Go right ahead. Go right ahead.

2610

2611 **FE Fordyce, Andrew, EMNRD 2:48:46**

2612 What's going on is, let me look at my notes. You identified the pool as the Oho Chiso

2613 Bone Spring Pool 96553.

2614

2615 **PH Pecos Hall 2:48:49**

2616 See.

2617

2618 **FE Fordyce, Andrew, EMNRD 2:48:57**

2619 Which is correct for this spacing unit, except for the northwest quarter of Section 35.

2620 the far north end of the spacing unit. The northwest corner of section 35 happens to

2621 be in the Grandma Ridge, Bone Spring, Northeast.

2622 28435

2623

2624 **PH Pecos Hall 2:49:23**

2625 Can you repeat the 28?

2626

2627 **FE Fordyce, Andrew, EMNRD 2:49:25**

2628 435.

2629

2630 **PH Pecos Hall 2:49:27**

2631 Okay, great.

2632

2633 **FE Fordyce, Andrew, EMNRD 2:49:30**

2634 So if we can get corrections to the CPAC and the C102s to reflect that second pool

2635 that popped up in the northwest quarter of section 35. I don't have any other

2636 questions for this case.

2637

2638 **PH Pecos Hall** 2:49:42

2639 We can do that. Okay, very good. So in this case, we'll be taken under advisement at
2640 5 P.m. after you submit a cover letter with the amended documents. Thank you. All
2641 right. All right. Well, thank you, Ms. Vance, for withdrawing your objection. And we'll
2642 move on now to number 34, Mac Energy. We have a different technical reviewer for
2643 the rest of these cases. This is Mr.

2644 Patricio Sanchez. Good morning, Mrs. Sanchez.

2645

2646  **Sanchez, Patricio, EMNRD** 2:50:06

2647 Good morning, Mister Examiner.

2648

2649 **PH Pecos Hall** 2:50:09

2650 Very good. And I got your e-mail about this case this morning, sir. Thank you. So
2651 entrance of appearance, please. Good morning, Mr. Hearing Examiner Paula Vance
2652 with the Santa Fe office of Holland and Hart. On behalf of the applicant, Chase Oil
2653 Company, Mac Energy Corporation is the operator. And there are no other other
2654 parties in this case. So in this case,
2655 Chase seeks to pool the uncommitted interest in 160 acre spacing unit, which
2656 consists of the west half, west half of section 23, Township 15 South, range 29 East,
2657 and that's in Chavez County. In this case, Chase is only seeking to pool non-cost
2658 bearing interest owners. So these are overriding royalty interest. There is no proposal
2659 or AFE.

2660 be included with the hearing packet and dedicate this spacing unit to the initial
2661 Alberta Federal Comm 1H and 2H. We have included the statement of our land man,
2662 Derek Smith, who has previously testified before the division, and his credentials
2663 have been accepted as a matter of record. Our geologist has not previously testified.
2664 His name is Mr. Tyler Greenwood. He should be online.

2665 We did include a copy of his resume. I believe there he is. We included a copy of his
2666 resume along with all of the required sub exhibits for geology. That's followed by
2667 myself a firm statement of notice with a sample copy of the letter notice that went
2668 out that was timely on July 17th, 2026, and the affidavit of notice of publication that
2669 was timely published on July 17th, 2026. And unless there are any questions, I would
2670 ask that the exhibits and sub-exhibits be admitted into the record at this time. And
2671 we also would ask that we have our new expert in geology admitted as a expert.

2672 Thank you, Ms. Vance. The exhibits are admitted without exception.
2673 Mr. Mr. Greenwood, thank you for appearing today, but I don't believe we have any
2674 questions for you. So to save time, we're not going to deal with qualifying you today.
2675 But thank you. Mr. Mr. Sanchez, do you have any questions for the land man?

2676

2677  **Tyler Greenwood** 2:52:17

2678 That's good.

2679

2680  **Sanchez, Patricio, EMNRD** 2:52:23

2681 No, just a point of clarification on this order, it will only be for the overriding interest.
2682 That's all this order will specifically be for. So that's all we're pulling today is
2683 overriding interest owners.

2684

2685  **Pecos Hall** 2:52:37

2686 Confirmed. Thank you. Great. We'll take this case under advisement. Thank you, Ms.
2687 Vance. All right, let's move on to Mewborn Oil. This is number 35 on our docket,
2688 26375 and 76. Good morning. I think we'll hold on. Also, 78? No, just those two.
2689 Go right ahead. Correct. Thank you, Mr. Hearing Examiner. Good morning. Paula
2690 Vance with the Santa Fe office of Holland and Hart on behalf of the applicant, Uburn
2691 Oil Company. There are no other parties in this case, so I will just move forward. Both
2692 of these cases involve acreage in Township 18 South, range 34 East in Lee County,
2693 New Mexico, and it involves pooling the Bone Spring formation.
2694 In case number 26375, New Bern is pulling the uncommitted interest in a 295.36 acre
2695 spacing unit that consists of lots one through 4, and that is the West Half West Half
2696 equivalent of irregular sections 18 and 19, and initially dedicating the spacing unit to
2697 the proposed Macho Man 1819 Federal Com 521H.
2698 And then in case numbers 26313, pulling the uncommitted interest in a 320 acre
2699 spacing unit consisting of the east half of the west half of irregular sections 18 and
2700 19, and dedicating this spacing unit to the Macho Man 1819 Federal Comm 523H.
2701 Both of these applications involve overlaps. We did notice a scrivener error in the
2702 township range, and we noted that in our pre-hearing statement as well as the land
2703 man statement. And Mr. Johnson, our land man, is going to take care of that notice
2704 separately as
2705 I talked about in another case. But in our hearing packet, we've included the
2706 statement of our land man, Mr. Brendan Johnson, and then our geologist, Mr.

2707 Charles Crosby, both of, well, actually, Mr. Brendan Johnson has submitted his
2708 resume, but he was never actually admitted. So I did, I do have a copy of his resume
2709 that was previously submitted.
2710 if there are questions, we are prepared to have his resume ready for review today.
2711 And then following that is myself affirmed statement of notice with a sample copy of
2712 the letter notice that was timely on July 17th, 2026, along with the affidavit of notice
2713 of publication that was timely on July 21st, 2026. And unless there are any questions
2714 questions, I would ask that the exhibits and sub-exhibits be admitted into the record
2715 at this time. I believe in maybe, let me just, I want to double check something.
2716 OK.
2717 That's all I have. Thank you. Admitted without exception in both cases. I don't believe
2718 we have any questions that both cases can be taken under advisement, but it sounds
2719 like you want to file an amended exhibit to correct something you said, some
2720 Scrivener error? No, I just noted it in the pre-hearing statement and land man's
2721 statement and just for the benefit of the division, just
2722 calling it out so you know and that Mewburn's going to take care of the overlapping
2723 notice requirements separately rather than submitting it here. Although we did
2724 include the overlap exhibit for the benefit of the division so they can see the existing
2725 spacing units in these proposed units.

2726

2727  **Sanchez, Patricio, EMNRD** 2:56:05

2728 Right.

2729 Yes.

2730

2731  **Pecos Hall** 2:56:14

2732 So no, no exhibits have to be adjusted at all. Perfect. The cases are taken under
2733 advisement. Thank you. Thank you. Let's go on to Mewburn Oil. There are three cases
2734 next. 2637881 and 82. Good morning, Mr. Hearing Examiner. Paula Vance with the
2735 Santa Fe office of Holland and Hart on behalf of the applicant Mewburn Oil
2736 Company. And I

2737 Yes, we have Miss Kessler here. Yeah, that's correct. Thank you, Mr. Examiner. Jordan
2738 Kessler from EOG monitoring these cases. Thank you, Miss Kessler.

2739

2740  **Sanchez, Patricio, EMNRD** 2:56:39

2741 Scrivener.

2742

2743 **PH Pecos Hall** 2:56:47

2744 Thank you. So in all three of these cases, it involves the acreage in Township 18
2745 South, Range 33 East. That's in Lee County, New Mexico, and it is pulling the Bone
2746 Spring Formation. Case number 26378 involves pulling the uncommitted interest in a
2747 320 acre spacing unit.

2748 which includes the west half, west half of sections 9 and 16, and initially dedicating
2749 that spacing unit to the Dire Wolf 16 TAC 9, Federal Comm 521H. And then in case
2750 number 26381, Mewburn is seeking to pool the uncommitted interest in a 320 acre
2751 spacing unit

2752 consisting of the west half of the east half of sections 9 and 16, and dedicating that
2753 spacing unit to the Dyer Wolf 16 TAC 9 Federal Comm 526H. And then lastly, in case
2754 number 26382, pulling the uncommitted interests in a 320 acre spacing unit
2755 consisting of the east half of the east half of sections
2756 9 and 16 and dedicating that spacing unit to the Dyer Wolf 16 TAC 9 Federal Comm
2757 528H. Two of the cases, 26381 and 26382 include overlaps, approval of overlaps, no
2758 issues there. So we've included our exhibit along with the notice.

2759 And then we have our land man statement, Mr. Carson Cullen, who has previously
2760 testified before the division, and Mr. Charles Crosby is our geologist, who has also
2761 previously testified before the division, and their credentials have been accepted as a
2762 matter of record, along with all of the required land and geology sub-exhibits.

2763 Lastly, followed by a self-affirmed statement of notice for the sample letter of the
2764 notice that went out that was timely on July 17th, 2026, and the affidavit of notice of
2765 publication that was timely filed on July 19th, 2026. And unless there are any
2766 questions, I would ask that the exhibits and sub-exhibits be admitted into the record
2767 and that these cases be taken under advisement at this time. Thank you, Ms. Vance.
2768 Admitted without exception.

2769 taken under advisement. Let's move on to Matador Production Company, Greyhound
2770 Resources. This is case number 26402.

2771 It looks like it might be joined with 26405. Correct. Great ahead. Thank you. Good
2772 morning, Mr. Hearing Examiner Paula Vance with the Santa Fe Office of Holland and
2773 Hart. On behalf of the applicant, Greyhound Resources LLC, Matador Production
2774 Company is the designated operator. Thank you.

2775 Good morning, Mr. Examiner. Dina Bennett on behalf of AO2 Permian, AO2 Permian
2776 Sidecar, Frontline Royalty Partners, and Frontline Royalty Partners Sidecar. And no

2777 objection. No objection. Okay, go right ahead, Miss Hanson. Thank you. In both of
2778 these cases, it involves the acreage. The acreage involved is all in Township 17 South,
2779 Range 37 East. That's Lee County, New Mexico.
2780 and pooling the Bone Spring Formation. In case number 26402, Greyhound
2781 Resources is seeking to pool the uncommitted interest in a 560 acre spacing unit
2782 consisting of the west half, west half of sections 9, 16, and 21, and the west half of
2783 the northwest quarter of section 28, and initially dedicating that spacing unit to the
2784 Semmel back
2785 North State Comm 131H, and then in case number 26405, pooling the uncommitted
2786 interests in a 560 acre spacing unit consisting of the east half of the east half of
2787 sections 9, 16, and 21 in the east half of the northeast quarter of section 28.
2788 And initially dedicating that spacing unit to the Simmel back north, Statecom 134H,
2789 we have included the self-affirmed statements of our land man, Addison Costley, and
2790 geologist Joshua Burris, both of whom have previously testified before the division
2791 and their credentials have been accepted as a matter of record, along with the
2792 required sub-exhibits for both land and geology.
2793 That is followed by the self-affirmed statement of notice with a sample copy of the
2794 notice letter that went out and was timely on August 14th, 2026, and a affidavit of
2795 notice of publication that was, did I get that right? I don't think I have the right dates
2796 on that, but I know that they're timely. I will double check it.

2797

2798  **Sanchez, Patricio, EMNRD** 3:01:25

2799 They are. They are time.

2800

2801  **Pecos Hall** 3:01:26

2802 They are. Okay. Thank you. Sorry, it was about 1030 when I finished preparing and
2803 this was my last one, so I didn't do all the calculations. But there we go. Our letter of
2804 notice and our notice of publication was timely. So with that said, I would ask that
2805 the exhibits and sub-exhibits be admitted under the
2806 into the record and that these cases be taken under advisement at this time. Without
2807 exception, I think we have a correction to the pool code. Mr. Sanchez.

2808

2809  **Sanchez, Patricio, EMNRD** 3:01:56

2810 Yes, Mr. Hearing Examiner, the pool needs to be changed to WC Bone Spring Wildcat
2811 for both projects and throughout your applications, wherever Hobbs Bone, Hobbs

2812 channel bone spring appears, replace that with WC bone spring. There's no number
2813 designation. WC bone spring. Everywhere in your applications, just replace that
2814 throughout and get it in by 5.

2815

2816 **PH Pecos Hall 3:02:29**

2817 We will. Okay, with the cover letter, please. Yes. All right. Thank you, Miss. Thank you,
2818 Miss Vance. These cases will be taken under advisement at 5 P.m. Thank you. Okay.
2819 Thank you. We have two last cases. Looks like Miss Shaheen's cases. The exhibits
2820 were late filed. Is that correct, Miss Shaheen?

2821

2822  **Sanchez, Patricio, EMNRD 3:02:32**

2823 Yeah.

2824

2825 **PH Pecos Hall 3:02:48**

2826 I understand that they were about an hour and a half late. Yeah, okay, so they were
2827 late filed. I'm going to call the cases 2642426428. Interest of appearance, please.
2828 Thank you. Sharon Shaheen on behalf of Jetta Operating Company, Inc. Thank you. I
2829 don't believe there's any other parties, are there?
2830 There is, yes. Yaritza Pena with Hardy McLean on behalf of BTA Oil Producers. We just
2831 entered our appearance a few days ago. We are just monitoring. Perfect. Thank you,
2832 Miss Pena. Okay, go right ahead, Miss Sheen. Thank you. And these cases are
2833 applications in which we amended applications that were originally filed in case
2834 numbers.

2835

2836 **OCD Regular Docket September 3, 2026-**
2837 **20260903_170609UTC-Meeting Recording**

2838 **[start of 2nd recording]**

2839 September 3, 2026, 5:06PM

2840 3m 32s

2841

2842 **PH Pecos Hall 0:07**

2843 26308 and 26309, which have been dismissed. In case number 26424, Jetta seeks to
2844 pool lots 1, 2, 3, and 4 in the east half of the west half, which is effectively the west
2845 half of sections 18 and 19, Township 23 South, range 34 East,

2846 in Lee County in a spacing unit that is approximately 623.24 acres. In case number
2847 26428, Jetta seeks to pool the east half of the same sections in an approximately 640
2848 acre spacing unit. These 2 units will be dedicated to the Inca Dove
2849 18-19 Fedcom #1H and #2H respectively, both of which are proximity wells. They are
2850 standard spacing units with the proximity tracks. Jetta seeks to pool from the top of
2851 the Wolf Camp B to the base of the Wolf Camp in both units.
2852 There is a depth severance in the Wolf Camp A, but there is no depth severance in
2853 the interval that Jetta seeks to pool. Exhibits were filed on Thursday. We also filed
2854 amended exhibits to include the resumes that were previously omitted.
2855 We have the usual exhibits, including the sea packs, the applications. Exhibit A is the
2856 land man statement of Jonathan Jackson, who has not previously testified before the
2857 division. It includes the usual sub-exhibits A1 through A6. Exhibit B is the geology
2858 statement of Amy Patterson, who has not
2859 I previously testified before the division. It includes the usual sub-exhibits B1 through
2860 B5. Exhibit C is my notice statement and includes the usual exhibits C1 through C4.
2861 Notice was timely mailed on August 14th and it was timely published on August
2862 20th.
2863 With that, I ask that the exhibits be admitted into the record and these cases be
2864 taken under advisement. Both Mr. Jackson and Ms. Patterson are available for
2865 questions. Thank you. Thank you. The exhibits are admitted without exception. Mr.
2866 Sanchez, I think you have something that you would like to speak to Machine about.
2867

2868  **Sanchez, Patricio, EMNRD** 2:22

2869 Yes, Mr. Hearing Examiner. Madam Shaheen, in the future, please, when these
2870 applications are filed, you sent the pre-hearing statement, you know, and put the two
2871 together. That's okay, I suppose. But the application packets all being put together,
2872 the exhibits, it kind of makes it hard to review. So could we please have those in the
2873 future separated out for each particular case?
2874

2875  **Pecos Hall** 2:41

2876 Yes.
2877

2878  **Sanchez, Patricio, EMNRD** 2:47

2879 case rather than kind of sent together in kind of a BLOB format. You know what I
2880 mean? It kind of slows us down a little bit. It's a little bit easier if you can focus, you

2881 know, and read the particular case when you're looking at the exhibit and not have
2882 to kind of parse through it like that. So just would appreciate that in the future,
2883 please.

2884

2885  **Pecos Hall** 2:58

2886 In.

2887 Absolutely. I appreciate any inconvenience to you. Excuse me, I apologize for any
2888 inconvenience.

2889

2890  **Sanchez, Patricio, EMNRD** 3:15

2891 Thank you, ma'am.

2892

2893  **Pecos Hall** 3:16

2894 All right. Thank you, Ms. Shaheen. So these cases are taken under advisement. Is
2895 there anything else that I've missed? No. Then we have concluded our business for
2896 today and we're off the record. Thank you, everyone.

2897

2898  **Pecos Hall** stopped transcription

2899