

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

CASE NO. 13,589

AWAITING FINAL COMMISSION ACTION

NO EVIDENCE OR TESTIMONY TAKEN

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COMMISSION HEARING

BEFORE: MARK E. FESMIRE, CHAIRMAN  
JAMI BAILEY, COMMISSIONER  
WILLIAM C. OLSON, COMMISSIONER

ORIGINAL

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May 6th, 2006

Santa Fe, New Mexico

This matter came on for hearing before the Oil Conservation Commission, MARK E. FESMIRE, Chairman, on Saturday, May 6th, 2006, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint Francis Drive, Room 102, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

\* \* \*

STEVEN T. BRENNER, CCR  
(505) 989-9317

## I N D E X

May 6th, 2006  
Commission Hearing  
CASE NOS. 13,589 (Awaiting final Commission  
Action - No evidence or testimony taken)

PAGE

REPORTER'S CERTIFICATE

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1           WHEREUPON, the following proceedings were had at  
2 11:01 a.m.:

3           CHAIRMAN FESMIRE: We're going to go on the  
4 record in Cause Number 13,589.

5           MR. HISER: Mr. Carr --

6           CHAIRMAN FESMIRE: Yeah, is he out there? Since  
7 we can't get folks interested in coming back, we're going  
8 to go ahead and go back on the record in Cause Number  
9 13,589, the Duke Application.

10          MR. CARR: Thank you, Mr. Chairman. You'll make  
11 my weekend, what's left of it --

12           (Laughter)

13          MR. CARR: -- whatever you do.

14          CHAIRMAN FESMIRE: Are we --

15          COURT REPORTER: Yes, sir.

16          CHAIRMAN FESMIRE: -- ready to go? Okay, we're  
17 on the record in Cause Number 13,589, the Application of  
18 Duke Energy Field Services, LP, for an acid gas injection  
19 well in Lea County, New Mexico.

20           The Commission, having previously heard the  
21 evidence and deliberated in this case, and directed Counsel  
22 to draft an order representing its decision in this case,  
23 has been presented with an order from Counsel, and the  
24 Commissioners have had a chance to read that order.

25           Does that order -- Commissioner Bailey, does that

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1 order adequately reflect the decision of the council?

2 COMMISSIONER BAILEY: Yes, it does.

3 CHAIRMAN FESMIRE: Commissioner Olson?

4 COMMISSIONER OLSON: I agree.

5 CHAIRMAN FESMIRE: And I too agree. At this time  
6 we will go ahead and sign the order granting, with certain  
7 conditions, Duke's Application.

8 Let the record reflect that all three  
9 Commissioners have signed the order, Order Number R-12,546,  
10 in Case Number 13,589, and that said order has been  
11 transmitted to the Secretary.

12 At this time we will go off the record in Case  
13 Number 13,589 and back onto the record in Case Number  
14 13,586.

15 (Thereupon, these proceedings were concluded at  
16 11:04 a.m.)

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## CERTIFICATE OF REPORTER

STATE OF NEW MEXICO )  
 ) ss.  
 COUNTY OF SANTA FE )

I, Steven T. Brenner, Certified Court Reporter and Notary Public, HEREBY CERTIFY that the foregoing transcript of proceedings before the Oil Conservation Commission was reported by me; that I transcribed my notes; and that the foregoing is a true and accurate record of the proceedings.

I FURTHER CERTIFY that I am not a relative or employee of any of the parties or attorneys involved in this matter and that I have no personal interest in the final disposition of this matter.

WITNESS MY HAND AND SEAL May 22nd, 2006.



STEVEN T. BRENNER  
 CCR No. 7

My commission expires: October 16th, 2006