

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

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

CASE NOS: 21654, 21655

APPLICATION OF COG OPERATING LLC  
FOR COMPULSORY POOLING  
LEA COUNTY, NEW MEXICO

CASE NOS: 21631, 21632

APPLICATION OF MATADOR PRODUCTION  
COMPANY FOR COMPULSORY POOLING  
LEA COUNTY, NEW MEXICO

CASE NOS: 21609, 21610

APPLICATION OF TAP ROCK RESOURCES,  
LLC FOR COMPULSORY POOLING  
LEA COUNTY, NEW MEXICO

REPORTER'S TRANSCRIPT OF VIRTUAL PROCEEDINGS  
EXAMINER HEARING  
MAY 20, 2021  
SANTA FE, NEW MEXICO

This matter came on for hearing before the New Mexico Oil Conservation Division, HEARING EXAMINER WILLIAM BRANCARD and TECHNICAL EXAMINER KURT SIMMONS, on Thursday, May 20, 2021, through the Webex Virtual Platform.

REPORTED BY: Carrie Hewerdine, RDR, NMCCR #512  
PAUL BACA COURT REPORTERS  
500 4th Street, Suite 105  
Albuquerque, New Mexico 87102

1 A P P E A R A N C E S

2 For COG Operating LLC:

3 DANA HARDY  
4 Hinkle Shanor  
5 218 Montezuma Avenue  
6 Santa Fe, NM 87501  
7 505.982.4554

8  
9 For Matador Production Company:

10 KAITLYN A. LUCK  
11 Holland & Hart  
12 110 N. Guadalupe Street, Suite 1  
13 Santa Fe, NM 87501  
14 505.954.7286

10

11 For Tap Rock Resources:

12 SHARON SHAHEEN  
13 Montgomery & Andrews  
14 325 Paseo de Peralta  
15 Santa Fe, NM 87501  
16 505.986.2678

15 I N D E X

16 CASE CALLED

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18 SUMMARY OF CASE AND EXHIBITS

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20 CASE CONTINUED

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22 REPORTER CERTIFICATE

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1 HEARING EXAMINER BRANCARD: So next up, I  
2 think, we have a series of competing cases here.

3 I list them as Cases 5 through 10 on our list.

4 And that would be Case 21654 and 21655. That  
5 is COG Operating.

6 21609, 21610, Tap Rock Resources.

7 And 21631, 21632, Matador Production.

8 Entry of appearances. For COG?

9 DANA HARDY: Yes. Dana Hardy with the Santa  
10 Fe office of Hinkle Shanor on behalf of COG Operating,  
11 LLC.

12 HEARING EXAMINER BRANCARD: Okay. Tap Rock  
13 Resources?

14 SHARON SHAHEEN: Good morning. Sharon Shaheen  
15 on behalf of Tap Rock Resources in Case Numbers 21609  
16 and 21610.

17 HEARING EXAMINER BRANCARD: Okay. And Matador  
18 Production?

19 KAITLYN LUCK: Good morning. Kaitlyn Luck  
20 with the Santa Fe office of Holland & Hart on behalf of  
21 Matador Production Company.

22 HEARING EXAMINER BRANCARD: I don't see any  
23 other -- I see an MRC Permiem (phonetic), but I assume  
24 that's also Matador; is that correct?

25 KAITLYN LUCK: That's correct.

1           HEARING EXAMINER BRANCARD:   Okay.   Any other  
2   entries of appearances in these six cases this morning?

3           Hearing none, I guess, Ms. Hardy, you're at  
4   the top of the list.

5           Do you want to start us off a proposal for  
6   where to go with these cases?

7           DANA HARDY:   Sure.   Thank you, Mr. Examiner.

8           Given the competing applications, I think it  
9   makes sense to set these cases a couple months out.   I  
10   know there are still discussions going on.   So I think  
11   we would ask for a setting in mid-August, perhaps the  
12   August 19th docket.   I think that would give the  
13   parties time to prepare and potentially resolve,  
14   possibly, some of these applications.

15           And I know that the parties were also  
16   discussing earlier dates, but I know the June date does  
17   not work for COG.   So we were hoping to shoot for the  
18   August docket.

19           HEARING EXAMINER BRANCARD:   Okay.   Marlene, I  
20   believe August 19th is pretty booked unless we do it  
21   that Friday.   Is that possible?

22           MARLENE SALVIDREZ:   Yes.   August 19th is  
23   booked.   If you want to do it on the Friday after,  
24   that's fine.

25           HEARING EXAMINER BRANCARD:   Okay.   I'll throw

1     that out as a possibility.  And let's hear from the  
2     parties.  August 20th --

3             DANA HARDY:  I think that --

4             HEARING EXAMINER BRANCARD:  -- on a special  
5     docket.

6             DANA HARDY:  Sorry.  I think that would be  
7     fine with COG, Mr. Examiner.

8             HEARING EXAMINER BRANCARD:  Ms. Shaheen?

9             SHARON SHAHEEN:  Yes, thank you, Mr. Examiner.

10            Tap Rock prefers to have these cases heard as  
11     soon as possible.

12            They are the first filed applications.  Case  
13     Number 21609 and 21610 were filed more than five months  
14     ago, on December 8th, I believe it was, of last year.

15            And would -- they would prefer to go forward  
16     in June.  I understand now that the COG is not  
17     available at that time, but Tap Rock asks that they be  
18     set as soon as possible.

19            HEARING EXAMINER BRANCARD:  Okay.  Ms. Luck?

20            KAITYLN LUCK:  And Matador is apparently in  
21     agreement with COG and would prefer a later hearing.  
22     The August 20th hearing would work for Matador.

23            HEARING EXAMINER BRANCARD:  Okay.  I think  
24     we're really filling up these dockets here, although a  
25     lot of cases get continued.  So it's deceptive.

1           But we're going to schedule these cases for  
2   August 20th, and I will issue a pre-hearing order.

3           Are there any other interested parties in  
4   these six cases today?

5           Hearing none, please file continuances in  
6   these cases, and Cases 21654, 21655, 21609, 21610,  
7   21631, 21632 are continued to a special hearing on  
8   August 20th. And I will file a pre-hearing order.

9           Thank you.

10          SHARON SHAHEEN: Thank you.

11          DANA HARDY: Thank you.

12          KAITYLN LUCK: Thank you.

13                       (Hearing concluded)

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1 STATE OF NEW MEXICO  
2 COUNTY OF BERNALILLO

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4 REPORTER'S CERTIFICATE

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6 I, CARRIE HEWERDINE, RDR, New Mexico Certified  
7 Court Reporter, CCR 521, do hereby certify that I  
8 reported the foregoing virtual proceedings in  
9 stenographic shorthand and that the foregoing pages are  
10 a true and correct transcript of those proceedings to  
11 the best of my ability.

12 I FURTHER CERTIFY that I am neither employed  
13 by nor related to any of the parties or attorneys in  
14 this case and that I have no interest in the final  
15 disposition of the case.

16 I FURTHER CERTIFY that the Virtual Proceeding  
17 was of poor to good quality.

18 Dated this 24th day of May, 2021.

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21 /s/ Carrie Hewerdine

22 Carrie Hewerdine, RDR, NMCCR 521  
23 License Expires: 12-31-21

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