

Garcia, John A, EMNRD

From: Deana M. Bennett <dmb@modrall.com>
Sent: Friday, June 25, 2021 10:07 AM
To: Brancard, Bill, EMNRD
Cc: Garcia, John A, EMNRD; jamesbruc@aol.com
Subject: RE: [EXT] Re: Cases 21403

Good Morning,

Thanks for your email. No objections to the exhibits.

Much appreciated,

Deana



Deana M. Bennett
Lawyer
Modrall Sperling | www.modrall.com
P.O. Box 2168 | Albuquerque, NM 87103-2168
500 4th St. NW, Ste. 1000 | Albuquerque, NM 87102
D: 505.848.1834 | O: 505.848.1800

From: Brancard, Bill, EMNRD <bill.brancard@state.nm.us>
Sent: Friday, June 25, 2021 9:58 AM
To: Deana M. Bennett <dmb@modrall.com>
Cc: Garcia, John A, EMNRD <JohnA.Garcia@state.nm.us>; jamesbruc@aol.com
Subject: FW: [EXT] Re: Cases 21403

EXTERNAL EMAIL: Please do not click any links or open any attachments unless you trust the sender and are expecting this message and know the content is safe.

Ms Bennett,

Please let us know if you have concerns with, or objections to, Mr. Bruce's exhibits.

Thank you,

Bill Brancard
Hearings Bureau Chief
NM Energy, Minerals & Natural Resources Dep't
1220 South St. Francis Drive
Santa Fe, NM 87505
505.412.0317 cell
Bill.brancard@state.nm.us

From: Aol. <jamesbruc@aol.com>
Sent: Friday, June 25, 2021 8:58 AM
To: Garcia, John A, EMNRD <JohnA.Garcia@state.nm.us>
Cc: dmb@modrall.com; Brancard, Bill, EMNRD <bill.brancard@state.nm.us>
Subject: [EXT] Re: Cases 21403

John: I apologize for taking so long. Over the weeks I have looked through every slip of paper in my office, but haven't located the affidavit. But I attach the following three exhibits:

Exhibit 1: My e-mail to the Hobbs newspaper on 12/1/20 requesting publication of the attached notice, which was for Case 21403 and the subject Santa Vaca wells.

Exhibit 2: The return e-mail from the Hobbs newspaper on 12/2/20, asking me to review the notice attached, and stating it would be published on 12/4/20. The e-mails reference the attachment as "santa vaca." I approved publication a few minutes after I received the e-mail.

Exhibit 3: A copy of my check register for Check 3570, paying the Hobbs newspaper.

Although I could not locate the affidavit, I ask that, based on these exhibits, the Legal Notice be considered published and an order issued in Case 21403.

Jim Bruce

-----Original Message-----

From: Garcia, John A, EMNRD <JohnA.Garcia@state.nm.us>
To: jamesbruc@aol.com <jamesbruc@aol.com>
Cc: Deana M. Bennett <dmb@modrall.com>; Brancard, Bill, EMNRD <bill.brancard@state.nm.us>
Sent: Thu, Jun 24, 2021 3:39 pm
Subject: Cases 21403

James,

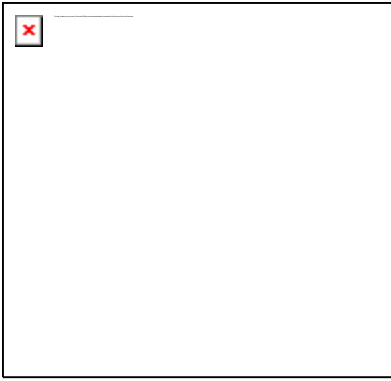
I am still awaiting receipt of the Newspapers Affidavit for case 21403, if we have not received the information within a week of this email the case will be dismissed.

History of OCD's prior requests:

- 3/18/2021 at hearing
- 4/21/2021 emailed
- 5/26/2021 emailed
- 6/7/2021 emailed

Thank you,

John Garcia
Petroleum Engineer, EIT
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
505-490-0957



From: Garcia, John A, EMNRD
Sent: Monday, June 7, 2021 2:02 PM
To: Aol. <jamesbruc@aol.com>
Cc: dmb@modrall.com; Brancard, Bill, EMNRD <bill.brancard@state.nm.us>
Subject: RE: [EXT] Re: Cases 21403 / 21721

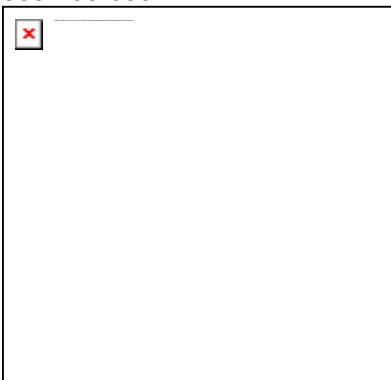
James,

Thank you for providing the mended exhibits, however I did not see the "Affidavit for publication by the newspaper" for case 21403. Please provided this as soon as possible.

See case 21403 Transcripts Page 12 Lines 14-17
Email dated 4/21/2021
Email dated 5/26/2021

Thank you,

John Garcia
Petroleum Specialist
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
505-490-0957



From: Aol. <jamesbruc@aol.com>
Sent: Monday, June 7, 2021 12:47 PM
To: Garcia, John A, EMNRD <JohnA.Garcia@state.nm.us>
Cc: dmb@modrall.com; Brancard, Bill, EMNRD <bill.brancard@state.nm.us>
Subject: [EXT] Re: Cases 21403 / 21721

Here you go. Sorry for the delay.

-----Original Message-----

From: Garcia, John A, EMNRD <JohnA.Garcia@state.nm.us>
To: jamesbruc@aol.com <jamesbruc@aol.com>

Cc: Deana M. Bennett <dmb@modrall.com>; Brancard, Bill, EMNRD <bill.brancard@state.nm.us>

Sent: Wed, May 26, 2021 8:24 am

Subject: Cases 21403 / 21721

James,

I am currently reviewing case 21403 and 21721, below are some errors that will need to be addressed before I can continue reviewing.

Within the Checklist for each case the following is wrong/missing:

- Missing Entries of Appearance/Intervenors
- Missing Pool Name and Pool Code
- Missing Building Blocks
- Incorrect Description: TRS/County

Case 21403 is also missing the Affidavit of Publication by the Newspaper page 69 of the exhibit packet.

Please mend/send the necessary information to me for each case, with each party who made an entry of appearance CC on the email.

Note: This is OCDs second attempt at reaching out for these cases, failure to respond may be grounds for a dismissal.

- First Attempt: 4/21/2021

Thank you,

John Garcia

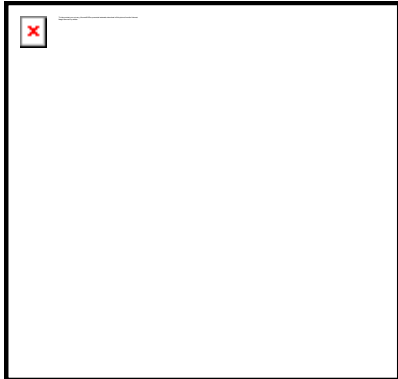
Petroleum Specialist

Oil Conservation Division

1220 South St. Francis Drive

Santa Fe, New Mexico 87505

505-490-0957



This e-mail may be a confidential attorney-client communication. If you received it in error, please delete it without forwarding it to others and notify the sender of the error.

From: jamesbruc@aol.com,

To: ter1@hobbsnews.com,

Subject: Publication request

Date: Tue, Dec 1, 2020 11:40 am

Attachments: moc-news-santa vaca.doc (31K)

Please publish the attached notice one time.

Thanks.

Jim Bruce

EXHIBIT

1

NOTICE

To: Yates Energy Corporation, Hutchings Oil Company, Seven Rivers, Inc., Yates-US Inc., James H. Bond, Scott Brothers Trust, and Grande Drilling Corporation, or your heirs, devisees, successors, or assigns: Mewbourne Oil Company has filed an application with the New Mexico Oil Conservation Division (Case No. 21403) seeking an order pooling all mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of the W/2W/2 of Section 19 and the W/2W/2 of Section 18, Township 19 South, Range 35 East, NMPM. The unit will be dedicated to the Santa Vaca 19/18 B2MD State Com. Well No. 1H and the Santa Vaca 19/18 B3MD State Com. Well No. 2H, which will be drilled to depths sufficient to test the Bone Spring formation. The wells are horizontal wells, with first take points in the SW/4SW/4 of Section 19 and last take points in the NW/4NW/4 of Section 18. Also to be considered will be the cost of drilling, completing, and equipping the wells and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the wells, and a 200% charge for the risk involved in drilling, completing, and equipping the wells. The application is scheduled to be heard at 8:15 a.m. on December 17, 2020. During the COVID-19 Public Health Emergency, state buildings are closed to the public and the hearing will be conducted remotely. To determine the location of the hearing or to participate in an electronic hearing, go to emnrd.state.nm.us/OCD/hearings or see the instructions posted on the Division's website, <http://emnrd.state.nm.us/OCD/announcements.html>. As an interest owner in the well unit, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date. A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, December 10, 2020. This statement may be filed online with the Division at ocd.hearings@state.nm.us, and should include: The name of the party and his or her attorney; a concise statement of the case; the name(s) of the witness(es) the party will call to testify at the hearing; the approximate time the party will need to present his or her case; and identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned. The attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504, (505) 982-2043, jamesbruc@aol.com. The unit is located approximately 14 miles west-northwest of Monument, New Mexico.

From: jamesbruc@aol.com,
To: ter1@hobbsnews.com,
Subject: Re: Publication request
Date: Wed, Dec 2, 2020 1:13 pm

Good to publish. Thanks.

-----Original Message-----

From: Kayla Montoya-Ter1 <ter1@hobbsnews.com>
To: jamesbruc@aol.com <jamesbruc@aol.com>
Sent: Wed, Dec 2, 2020 1:06 pm
Subject: Re: Publication request

Here is proof and invoice for 36045 set to run December 4, 2020 please review and let me know if all is well to publish

On Dec 1, 2020, at 11:40 AM, jamesbruc@aol.com wrote:

Please publish the attached notice one time.

Thanks.

Jim Bruce

<moc-news-santa vaca.doc>

Kayla Montoya

Classified/Legal Department

Hobbs News Sun

201 N. Thorp, Hobbs, New Mexico 88240

(P) 575.391.5417

(F) 575.397.0610

ter1@hobbsnews.com

Legal Deadlines:

Initial copy needs to be received by 12pm Mountain Time, 2 days prior to publication, preferred

Final approval on legals must be received by below time line

**To publish Tuesday - Friday*

Deadline is 2pm day before

**To publish Saturday & Sunday*

Deadline is 2pm on Friday

BILL STATEMENTS

Please note that if corrections or changes are made on a legal notice, this can change the cost of the legal notice. Customer will be responsible for additional charges.

EXHIBIT

2

LEGAL NOTICE
December 4, 2020

To: Yates Energy Corporation, Hutchings Oil Company, Seven Rivers, Inc., Yates-US Inc., James H. Bond, Scott Brothers Trust, and Grande Drilling Corporation, or your heirs, devisees, successors, or assigns: Mewbourne Oil Company has filed an application with the New Mexico Oil Conservation Division (Case No. 21403) seeking an order pooling all mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of the W/2W/2 of Section 19 and the W/2W/2 of Section 18, Township 19 South, Range 35 East, NMPM. The unit will be dedicated to the Santa Vaca 19/18 B2MD State Com. Well No. 1H and the Santa Vaca 19/18 B3MD State Com. Well No. 2H, which will be drilled to depths sufficient to test the Bone Spring formation. The wells are horizontal wells, with first take points in the SW/4SW/4 of Section 19 and last take points in the NW/4NW/4 of Section 18. Also to be considered will be the cost of drilling, completing, and equipping the wells and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the wells, and a 200% charge for the risk involved in drilling, completing, and equipping the wells. The application is scheduled to be heard at 8:15 a.m. on December 17, 2020. During the COVID-19 Public Health Emergency, state buildings are closed to the public and the hearing will be conducted remotely. To determine the location of the hearing or to participate in an electronic hearing, go to emnrd.state.nm.us/OCD/hearings or see the instructions posted on the Division's website, <http://emnrd.state.nm.us/OCD/announcements.html>. As an interest owner in the well unit, you have the right to enter an appearance and participate in the case. Failure to appear will preclude you from contesting this matter at a later date. A party appearing in a Division case is required by Division Rules to file a Pre-Hearing Statement no later than Thursday, December 10, 2020. This statement may be filed online with the Division at ocd.hearings@state.nm.us, and should include: The name of the party and his or her attorney; a concise statement of the case; the name(s) of the witness(es) the party will call to testify at the hearing; the approximate time the party will need to present his or her case; and identification of any procedural matters that need to be resolved prior to the hearing. The Pre-Hearing Statement must also be provided to the undersigned. The attorney for applicant is James Bruce, P.O. Box 1056, Santa Fe, New Mexico 87504, (505) 982-2043, jamesbruc@aol.com. The unit is located approximately 14 miles west-northwest of Monument, New Mexico.

#36045

3569		BALANCE BROUGHT FORWARD	
DATE	1/22/21		
PAY TO	Cbad	DEPOSITS	
	C. Argus		
FOR			
	TOTAL		
	THIS CHECK		182 69
	OTHER TRANS +/-		
TAX DEDUCTIBLE <input type="checkbox"/>	BALANCE		

3570		BALANCE BROUGHT FORWARD	
DATE	"		
PAY TO	Habitados	DEPOSITS	
	Sum		
FOR	5 Veces		
	TOTAL		
	THIS CHECK		106 61
	OTHER TRANS +/-		
TAX DEDUCTIBLE <input type="checkbox"/>	BALANCE		

3571		BALANCE BROUGHT FORWARD	
DATE	1/25		
PAY TO	Esperanza	DEPOSITS	
	Humane		
FOR			
	TOTAL		
	THIS CHECK		100 00
	OTHER TRANS +/-		
TAX DEDUCTIBLE <input type="checkbox"/>	BALANCE		

EXHIBIT **3**